

107TH CONGRESS
1ST SESSION

H. R. 2500

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
 2 money in the Treasury not otherwise appropriated, for the
 3 fiscal year ending September 30, 2002, and for other pur-
 4 poses, namely:

5 TITLE I—DEPARTMENT OF JUSTICE

6 GENERAL ADMINISTRATION

7 SALARIES AND EXPENSES

8 For expenses necessary for the administration of the
 9 Department of Justice, \$91,668,000, of which not to ex-
 10 ceed \$3,317,000 is for the Facilities Program 2000, to
 11 remain available until expended: *Provided*, That not to ex-
 12 ceed 43 permanent positions and 44 full-time equivalent
 13 workyears and \$8,451,000 shall be expended for the De-
 14 partment Leadership Program exclusive of augmentation
 15 that occurred in these offices in fiscal year 2001: *Provided*
 16 *further*, That not to exceed 41 permanent positions and
 17 48 full-time equivalent workyears and \$4,997,000 shall be
 18 expended for the Offices of Legislative Affairs and Public
 19 Affairs: *Provided further*, That the latter two aforemen-
 20 tioned offices may utilize non-reimbursable details of ca-
 21 reer employees within the caps described in the preceding
 22 proviso: *Provided further*, That the Attorney General is au-
 23 thorized to transfer, under such terms and conditions as
 24 the Attorney General shall specify, forfeited real or per-
 25 sonal property of limited or marginal value, as such value

1 is determined by guidelines established by the Attorney
2 General, to a State or local government agency, or its des-
3 ignated contractor or transferee, for use to support drug
4 abuse treatment, drug and crime prevention and edu-
5 cation, housing, job skills, and other community-based
6 public health and safety programs: *Provided further*, That
7 any transfer under the preceding proviso shall not create
8 or confer any private right of action in any person against
9 the United States, and shall be treated as a reprogram-
10 ming under section 605 of this Act.

11 JOINT AUTOMATED BOOKING SYSTEM

12 For expenses necessary for the nationwide deploy-
13 ment of a Joint Automated Booking System including
14 automated capability to transmit fingerprint and image
15 data, \$15,957,000, to remain available until expended.

16 NARROWBAND COMMUNICATIONS

17 For the costs of conversion to narrowband commu-
18 nications, including the cost for operation and mainte-
19 nance of Land Mobile Radio legacy systems,
20 \$104,615,000, to remain available until expended.

21 COUNTERTERRORISM FUND

22 For necessary expenses, as determined by the Attor-
23 ney General, \$4,989,000, to remain available until ex-
24 pended, to reimburse any Department of Justice organiza-
25 tion for: (1) the costs incurred in reestablishing the oper-
26 ational capability of an office or facility which has been

1 damaged or destroyed as a result of any domestic or inter-
2 national terrorist incident; and (2) the costs of providing
3 support to counter, investigate or prosecute domestic or
4 international terrorism, including payment of rewards in
5 connection with these activities: *Provided*, That any Fed-
6 eral agency may be reimbursed for the costs of detaining
7 in foreign countries individuals accused of acts of ter-
8 rorism that violate the laws of the United States: *Provided*
9 *further*, That funds provided under this paragraph shall
10 be available only after the Attorney General notifies the
11 Committees on Appropriations of the House of Represent-
12 atives and the Senate in accordance with section 605 of
13 this Act.

14 ADMINISTRATIVE REVIEW AND APPEALS

15 For expenses necessary for the administration of par-
16 don and clemency petitions and immigration-related activi-
17 ties, \$178,751,000.

18 DETENTION TRUSTEE

19 For necessary expenses of the Federal Detention
20 Trustee who shall exercise all power and functions author-
21 ized by law relating to the detention of Federal prisoners
22 in non-Federal institutions or otherwise in the custody of
23 the United States Marshals Service; and the detention of
24 aliens in the custody of the Immigration and Naturaliza-
25 tion Service, \$1,721,000: *Provided*, That the Trustee shall
26 be responsible for overseeing construction of detention fa-

1 cilities or for housing related to such detention; the man-
 2 agement of funds appropriated to the Department for the
 3 exercise of any detention functions; and the direction of
 4 the United States Marshals Service and Immigration and
 5 Naturalization Service with respect to the exercise of de-
 6 tention policy setting and operations for the Department.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
 9 General in carrying out the provisions of the Inspector
 10 General Act of 1978, as amended, \$50,735,000; including
 11 not to exceed \$10,000 to meet unforeseen emergencies of
 12 a confidential character, to be expended under the direc-
 13 tion of, and to be accounted for solely under the certificate
 14 of, the Attorney General; and for the acquisition, lease,
 15 maintenance, and operation of motor vehicles, without re-
 16 gard to the general purchase price limitation for the cur-
 17 rent fiscal year.

18 UNITED STATES PAROLE COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses of the United States Parole
 21 Commission as authorized by law, \$10,915,000.

22 LEGAL ACTIVITIES

23 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

24 For expenses necessary for the legal activities of the
 25 Department of Justice, not otherwise provided for, includ-
 26 ing not to exceed \$20,000 for expenses of collecting evi-

1 dence, to be expended under the direction of, and to be
2 accounted for solely under the certificate of, the Attorney
3 General; and rent of private or Government-owned space
4 in the District of Columbia, \$568,011,000; of which not
5 to exceed \$10,000,000 for litigation support contracts
6 shall remain available until expended: *Provided*, That of
7 the funds available in this appropriation, \$18,835,000
8 shall remain available until expended only for office auto-
9 mation systems for the legal divisions covered by this ap-
10 propriation, and for the United States Attorneys, the Anti-
11 trust Division, the United States Trustee Program, the
12 Executive Office for Immigration Review, the Community
13 Relations Service, and offices funded through “Salaries
14 and Expenses”, General Administration: *Provided further*,
15 That of the total amount appropriated, not to exceed
16 \$1,000 shall be available to the United States National
17 Central Bureau, INTERPOL, for official reception and
18 representation expenses: *Provided further*, That notwith-
19 standing any other provision of law, upon a determination
20 by the Attorney General that emergent circumstances re-
21 quire additional funding for litigation activities of the Civil
22 Division, the Attorney General may transfer such amounts
23 to “Salaries and Expenses, General Legal Activities” from
24 available appropriations for the current fiscal year for the
25 Department of Justice, as may be necessary to respond

1 to such circumstances: *Provided further*, That any transfer
2 pursuant to the previous proviso shall be treated as a re-
3 programming under section 605 of this Act and shall not
4 be available for obligation or expenditure except in compli-
5 ance with the procedures set forth in that section.

6 In addition, for reimbursement of expenses of the De-
7 partment of Justice associated with processing cases
8 under the National Childhood Vaccine Injury Act of 1986,
9 as amended, not to exceed \$4,028,000, to be appropriated
10 from the Vaccine Injury Compensation Trust Fund.

11 SALARIES AND EXPENSES, ANTITRUST DIVISION

12 For expenses necessary for the enforcement of anti-
13 trust and kindred laws, \$105,366,000: *Provided*, That,
14 notwithstanding section 3302(b) of title 31, United States
15 Code, not to exceed \$105,366,000 of offsetting collections
16 derived from fees collected in fiscal year 2002 for
17 premerger notification filings under the Hart-Scott-Ro-
18 dino Antitrust Improvements Act of 1976 (15 U.S.C. 18a)
19 shall be retained and used for necessary expenses in this
20 appropriation, and shall remain available until expended:
21 *Provided further*, That the sum herein appropriated from
22 the general fund shall be reduced as such offsetting collec-
23 tions are received during fiscal year 2002, so as to result
24 in a final fiscal year 2002 appropriation from the general
25 fund estimated at not more than \$0.

1 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

2 For necessary expenses of the Offices of the United
3 States Attorneys, including inter-governmental and coop-
4 erative agreements, \$1,353,968,000; of which not to ex-
5 ceed \$2,500,000 shall be available until September 30,
6 2003, for: (1) training personnel in debt collection; (2) lo-
7 cating debtors and their property; (3) paying the net costs
8 of selling property; and (4) tracking debts owed to the
9 United States Government: *Provided*, That of the total
10 amount appropriated, not to exceed \$8,000 shall be avail-
11 able for official reception and representation expenses:
12 *Provided further*, That not to exceed \$10,000,000 of those
13 funds available for automated litigation support contracts
14 shall remain available until expended: *Provided further*,
15 That not to exceed \$2,500,000 for the operation of the
16 National Advocacy Center shall remain available until ex-
17 pended: *Provided further*, That, in addition to reimburs-
18 able full-time equivalent workyears available to the Offices
19 of the United States Attorneys, not to exceed 9,571 posi-
20 tions and 9,776 full-time equivalent workyears shall be
21 supported from the funds appropriated in this Act for the
22 United States Attorneys.

23 UNITED STATES TRUSTEE SYSTEM FUND

24 For necessary expenses of the United States Trustee
25 Program, as authorized by 28 U.S.C. 589a(a),
26 \$145,937,000, to remain available until expended and to

1 be derived from the United States Trustee System Fund:
 2 *Provided*, That, notwithstanding any other provision of
 3 law, deposits to the Fund shall be available in such
 4 amounts as may be necessary to pay refunds due deposi-
 5 tors: *Provided further*, That, notwithstanding any other
 6 provision of law, \$145,937,000 of offsetting collections
 7 pursuant to 28 U.S.C. 589a(b) shall be retained and used
 8 for necessary expenses in this appropriation and remain
 9 available until expended: *Provided further*, That the sum
 10 herein appropriated from the Fund shall be reduced as
 11 such offsetting collections are received during fiscal year
 12 2002, so as to result in a final fiscal year 2002 appropria-
 13 tion from the Fund estimated at \$0.

14 SALARIES AND EXPENSES, FOREIGN CLAIMS

15 SETTLEMENT COMMISSION

16 For expenses necessary to carry out the activities of
 17 the Foreign Claims Settlement Commission, including
 18 services as authorized by 5 U.S.C. 3109, \$1,136,000.

19 SALARIES AND EXPENSES, UNITED STATES MARSHALS

20 SERVICE

21 For necessary expenses of the United States Mar-
 22 shals Service, including the acquisition, lease, mainte-
 23 nance, and operation of vehicles, and the purchase of pas-
 24 senger motor vehicles for police-type use, without regard
 25 to the general purchase price limitation for the current
 26 fiscal year, \$622,646,000; of which not to exceed \$6,000

1 shall be available for official reception and representation
2 expenses; and of which not to exceed \$4,000,000 for devel-
3 opment, implementation, maintenance and support, and
4 training for an automated prisoner information system
5 shall remain available until expended: *Provided*, That, in
6 addition to reimbursable full-time equivalent workyears
7 available to the United States Marshals Service, not to ex-
8 ceed 4,128 positions and 3,993 full-time equivalent
9 workyears shall be supported from the funds appropriated
10 in this Act for the United States Marshals Service.

11 CONSTRUCTION

12 For planning, constructing, renovating, equipping,
13 and maintaining United States Marshals Service prisoner-
14 holding space in United States courthouses and Federal
15 buildings, including the renovation and expansion of pris-
16 oner movement areas, elevators, and sallyports,
17 \$6,628,000 to remain available until expended.

18 FEDERAL PRISONER DETENTION

19 For expenses, related to United States prisoners in
20 the custody of the United States Marshals Service, but
21 not including expenses otherwise provided for in appro-
22 priations available to the Attorney General, \$724,682,000,
23 to remain available until expended.

24 FEES AND EXPENSES OF WITNESSES

25 For expenses, mileage, compensation, and per diems
26 of witnesses, for expenses of contracts for the procurement

1 and supervision of expert witnesses, for private counsel ex-
2 penses, and for per diems in lieu of subsistence, as author-
3 ized by law, including advances, \$148,494,000, to remain
4 available until expended; of which not to exceed
5 \$6,000,000 may be made available for planning, construc-
6 tion, renovations, maintenance, remodeling, and repair of
7 buildings, and the purchase of equipment incident thereto,
8 for protected witness safesites; of which not to exceed
9 \$1,000,000 may be made available for the purchase and
10 maintenance of armored vehicles for transportation of pro-
11 tected witnesses; and of which not to exceed \$5,000,000
12 may be made available for the purchase, installation, and
13 maintenance of secure telecommunications equipment and
14 a secure automated information network to store and re-
15 trieve the identities and locations of protected witnesses.

16 SALARIES AND EXPENSES, COMMUNITY RELATIONS

17 SERVICE

18 For necessary expenses of the Community Relations
19 Service, \$9,269,000 and, in addition, up to \$1,000,000 of
20 funds made available to the Department of Justice in this
21 Act may be transferred by the Attorney General to this
22 account: *Provided*, That notwithstanding any other provi-
23 sion of law, upon a determination by the Attorney General
24 that emergent circumstances require additional funding
25 for conflict prevention and resolution activities of the
26 Community Relations Service, the Attorney General may

1 transfer such amounts to the Community Relations Serv-
 2 ice, from available appropriations for the current fiscal
 3 year for the Department of Justice, as may be necessary
 4 to respond to such circumstances: *Provided further*, That
 5 any transfer pursuant to the previous proviso shall be
 6 treated as a reprogramming under section 605 of this Act
 7 and shall not be available for obligation or expenditure ex-
 8 cept in compliance with the procedures set forth in that
 9 section.

10 ASSETS FORFEITURE FUND

11 For expenses authorized by 28 U.S.C.
 12 524(c)(1)(A)(ii), (B), (F), and (G), as amended,
 13 \$21,949,000, to be derived from the Department of Jus-
 14 tice Assets Forfeiture Fund.

15 RADIATION EXPOSURE COMPENSATION

16 ADMINISTRATIVE EXPENSES

17 For necessary administrative expenses in accordance
 18 with the Radiation Exposure Compensation Act,
 19 \$1,996,000.

20 PAYMENT TO RADIATION EXPOSURE COMPENSATION

21 TRUST FUND

22 For payments to the Radiation Exposure Compensa-
 23 tion Trust Fund of claims covered by the Radiation Expo-
 24 sure Compensation Act, \$10,776,000.

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

3 For necessary expenses for the detection, investiga-
4 tion, and prosecution of individuals involved in organized
5 crime drug trafficking not otherwise provided for, to in-
6 clude inter-governmental agreements with State and local
7 law enforcement agencies engaged in the investigation and
8 prosecution of individuals involved in organized crime drug
9 trafficking, \$340,189,000, of which \$50,000,000 shall re-
10 main available until expended: *Provided*, That any
11 amounts obligated from appropriations under this heading
12 may be used under authorities available to the organiza-
13 tions reimbursed from this appropriation: *Provided fur-*
14 *ther*, That any unobligated balances remaining available
15 at the end of the fiscal year shall revert to the Attorney
16 General for reallocation among participating organizations
17 in succeeding fiscal years, subject to the reprogramming
18 procedures set forth in section 605 of this Act.

19 FEDERAL BUREAU OF INVESTIGATION

20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Bureau of In-
22 vestigation for detection, investigation, and prosecution of
23 crimes against the United States; including purchase for
24 police-type use of not to exceed 1,236 passenger motor ve-
25 hicles, of which 1,142 will be for replacement only, without

1 regard to the general purchase price limitation for the cur-
2 rent fiscal year, and hire of passenger motor vehicles; ac-
3 quisition, lease, maintenance, and operation of aircraft;
4 and not to exceed \$70,000 to meet unforeseen emergencies
5 of a confidential character, to be expended under the di-
6 rection of, and to be accounted for solely under the certifi-
7 cate of, the Attorney General, \$3,491,073,000; of which
8 not to exceed \$50,000,000 for automated data processing
9 and telecommunications and technical investigative equip-
10 ment and not to exceed \$1,000,000 for undercover oper-
11 ations shall remain available until September 30, 2003;
12 of which not less than \$448,467,000 shall be for
13 counterterrorism investigations, foreign counterintel-
14 ligence, and other activities related to our national secu-
15 rity; of which not to exceed \$10,000,000 is authorized to
16 be made available for making advances for expenses aris-
17 ing out of contractual or reimbursable agreements with
18 State and local law enforcement agencies while engaged
19 in cooperative activities related to violent crime, terrorism,
20 organized crime, and drug investigations: *Provided*, That
21 not to exceed \$45,000 shall be available for official recep-
22 tion and representation expenses: *Provided further*, That,
23 in addition to reimbursable full-time equivalent workyears
24 available to the Federal Bureau of Investigation, not to
25 exceed 24,935 positions and 24,488 full-time equivalent

1 workyears shall be supported from the funds appropriated
2 in this Act for the Federal Bureau of Investigation.

3 CONSTRUCTION

4 For necessary expenses to construct or acquire build-
5 ings and sites by purchase, or as otherwise authorized by
6 law (including equipment for such buildings); conversion
7 and extension of federally-owned buildings; and prelimi-
8 nary planning and design of projects; \$1,250,000, to re-
9 main available until expended.

10 DRUG ENFORCEMENT ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Drug Enforcement Ad-
13 ministration, including not to exceed \$70,000 to meet un-
14 foreseen emergencies of a confidential character, to be ex-
15 pended under the direction of, and to be accounted for
16 solely under the certificate of, the Attorney General; ex-
17 penses for conducting drug education and training pro-
18 grams, including travel and related expenses for partici-
19 pants in such programs and the distribution of items of
20 token value that promote the goals of such programs; pur-
21 chase of not to exceed 1,358 passenger motor vehicles, of
22 which 1,079 will be for replacement only, for police-type
23 use without regard to the general purchase price limitation
24 for the current fiscal year; and acquisition, lease, mainte-
25 nance, and operation of aircraft, \$1,476,083,000; of which
26 not to exceed \$1,800,000 for research shall remain avail-

1 able until expended, and of which not to exceed
2 \$4,000,000 for purchase of evidence and payments for in-
3 formation, not to exceed \$10,000,000 for contracting for
4 automated data processing and telecommunications equip-
5 ment, and not to exceed \$2,000,000 for laboratory equip-
6 ment, \$4,000,000 for technical equipment, and
7 \$2,000,000 for aircraft replacement retrofit and parts,
8 shall remain available until September 30, 2003; of which
9 not to exceed \$50,000 shall be available for official recep-
10 tion and representation expenses: *Provided*, That, in addi-
11 tion to reimbursable full-time equivalent workyears avail-
12 able to the Drug Enforcement Administration, not to ex-
13 ceed 7,654 positions and 7,515 full-time equivalent
14 workyears shall be supported from the funds appropriated
15 in this Act for the Drug Enforcement Administration.

16 IMMIGRATION AND NATURALIZATION SERVICE

17 SALARIES AND EXPENSES

18 For expenses necessary for the administration and
19 enforcement of the laws relating to immigration, natu-
20 ralization, and alien registration, as follows:

21 ENFORCEMENT AND BORDER AFFAIRS

22 For salaries and expenses for the Border Patrol pro-
23 gram, the detention and deportation program, the intel-
24 ligence program, the investigations program, and the in-
25 spections program, including not to exceed \$50,000 to

1 meet unforeseen emergencies of a confidential character,
2 to be expended under the direction of, and to be accounted
3 for solely under the certificate of, the Attorney General;
4 purchase for police-type use (not to exceed 3,165 pas-
5 senger motor vehicles, of which 2,211 are for replacement
6 only), without regard to the general purchase price limita-
7 tion for the current fiscal year, and hire of passenger
8 motor vehicles; acquisition, lease, maintenance and oper-
9 ation of aircraft; research related to immigration enforce-
10 ment; for protecting and maintaining the integrity of the
11 borders of the United States including, without limitation,
12 equipping, maintaining, and making improvements to the
13 infrastructure; and for the care and housing of Federal
14 detainees held in the joint Immigration and Naturalization
15 Service and United States Marshals Service Buffalo De-
16 tention Facility, \$2,738,517,000; of which not to exceed
17 \$5,000,000 is for payments or advances arising out of con-
18 tractual or reimbursable agreements with State and local
19 law enforcement agencies while engaged in cooperative ac-
20 tivities related to immigration; of which not to exceed
21 \$5,000,000 is to fund or reimburse other Federal agencies
22 for the costs associated with the care, maintenance, and
23 repatriation of smuggled illegal aliens: *Provided*, That
24 none of the funds available to the Immigration and Natu-
25 ralization Service shall be available to pay any employee

1 overtime pay in an amount in excess of \$30,000 during
 2 the calendar year beginning January 1, 2002: *Provided*
 3 *further*, That uniforms may be purchased without regard
 4 to the general purchase price limitation for the current
 5 fiscal year: *Provided further*, That, in addition to reim-
 6 bursable full-time equivalent workyears available to the
 7 Immigration and Naturalization Service, not to exceed
 8 20,465 positions and 20,066 full-time equivalent
 9 workyears shall be supported from the funds appropriated
 10 under this heading in this Act for the Immigration and
 11 Naturalization Service: *Provided further*, That none of the
 12 funds provided in this or any other Act shall be used for
 13 the continued operation of the San Clemente and
 14 Temecula checkpoints unless the checkpoints are open and
 15 traffic is being checked on a continuous 24-hour basis.

16 CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND
 17 PROGRAM DIRECTION

18 For all programs of the Immigration and Naturaliza-
 19 tion Service not included under the heading “Enforcement
 20 and Border Affairs”, \$632,923,000, of which not to ex-
 21 ceed \$400,000 for research shall remain available until ex-
 22 pended: *Provided*, That not to exceed \$5,000 shall be
 23 available for official reception and representation ex-
 24 penses: *Provided further*, That the Attorney General may
 25 transfer any funds appropriated under this heading and

1 the heading “Enforcement and Border Affairs” between
2 said appropriations notwithstanding any percentage trans-
3 fer limitations imposed under this appropriations Act and
4 may direct such fees as are collected by the Immigration
5 and Naturalization Service to the activities funded under
6 this heading and the heading “Enforcement and Border
7 Affairs” for performance of the functions for which the
8 fees legally may be expended: *Provided further*, That not
9 to exceed 40 permanent positions and 40 full-time equiva-
10 lent workyears and \$4,300,000 shall be expended for the
11 Offices of Legislative Affairs and Public Affairs: *Provided*
12 *further*, That the latter two aforementioned offices shall
13 not be augmented by personnel details, temporary trans-
14 fers of personnel on either a reimbursable or non-reim-
15 bursable basis, or any other type of formal or informal
16 transfer or reimbursement of personnel or funds on either
17 a temporary or long-term basis: *Provided further*, That the
18 number of positions filled through non-career appointment
19 at the Immigration and Naturalization Service, for which
20 funding is provided in this Act or is otherwise made avail-
21 able to the Immigration and Naturalization Service, shall
22 not exceed four permanent positions and four full-time
23 equivalent workyears: *Provided further*, That none of the
24 funds available to the Immigration and Naturalization
25 Service shall be used to pay any employee overtime pay

1 in an amount in excess of \$30,000 during the calendar
2 year beginning January 1, 2002: *Provided further*, That
3 funds may be used, without limitation, for equipping,
4 maintaining, and making improvements to the infrastruc-
5 ture and the purchase of vehicles for police-type use within
6 the limits of the Enforcement and Border Affairs appro-
7 priation: *Provided further*, That, in addition to reimburs-
8 able full-time equivalent workyears available to the Immi-
9 gration and Naturalization Service, not to exceed 3,146
10 positions and 3,523 full-time equivalent workyears shall
11 be supported from the funds appropriated under this
12 heading in this Act for the Immigration and Naturaliza-
13 tion Service: *Provided further*, That, notwithstanding any
14 other provision of law, during fiscal year 2002, the Attor-
15 ney General is authorized and directed to impose discipli-
16 nary action, including termination of employment, pursu-
17 ant to policies and procedures applicable to employees of
18 the Federal Bureau of Investigation, for any employee of
19 the Immigration and Naturalization Service who violates
20 policies and procedures set forth by the Department of
21 Justice relative to the granting of citizenship or who will-
22 fully deceives the Congress or department leadership on
23 any matter.

24 CONSTRUCTION

25 For planning, construction, renovation, equipping,
26 and maintenance of buildings and facilities necessary for

1 the administration and enforcement of the laws relating
2 to immigration, naturalization, and alien registration, not
3 otherwise provided for, \$128,454,000, to remain available
4 until expended: *Provided*, That no funds shall be available
5 for the site acquisition, design, or construction of any Bor-
6 der Patrol checkpoint in the Tucson sector.

7 FEDERAL PRISON SYSTEM

8 SALARIES AND EXPENSES

9 For expenses necessary for the administration, oper-
10 ation, and maintenance of Federal penal and correctional
11 institutions, including purchase (not to exceed 685, of
12 which 610 are for replacement only) and hire of law en-
13 forcement and passenger motor vehicles, and for the provi-
14 sion of technical assistance and advice on corrections re-
15 lated issues to foreign governments, \$3,830,971,000: *Pro-*
16 *vided*, That the Attorney General may transfer to the
17 Health Resources and Services Administration such
18 amounts as may be necessary for direct expenditures by
19 that Administration for medical relief for inmates of Fed-
20 eral penal and correctional institutions: *Provided further*,
21 That the Director of the Federal Prison System (FPS),
22 where necessary, may enter into contracts with a fiscal
23 agent/fiscal intermediary claims processor to determine
24 the amounts payable to persons who, on behalf of FPS,
25 furnish health services to individuals committed to the

1 custody of FPS: *Provided further*, That not to exceed
2 \$6,000 shall be available for official reception and rep-
3 resentation expenses: *Provided further*, That not to exceed
4 \$50,000,000 shall remain available for necessary oper-
5 ations until September 30, 2003: *Provided further*, That,
6 of the amounts provided for Contract Confinement, not
7 to exceed \$20,000,000 shall remain available until ex-
8 pended to make payments in advance for grants, contracts
9 and reimbursable agreements, and other expenses author-
10 ized by section 501(c) of the Refugee Education Assist-
11 ance Act of 1980, as amended, for the care and security
12 in the United States of Cuban and Haitian entrants: *Pro-*
13 *vided further*, That the Director of the Federal Prison Sys-
14 tem may accept donated property and services relating to
15 the operation of the prison card program from a not-for-
16 profit entity which has operated such program in the past
17 notwithstanding the fact that such not-for-profit entity
18 furnishes services under contracts to the Federal Prison
19 System relating to the operation of pre-release services,
20 halfway houses or other custodial facilities.

21 BUILDINGS AND FACILITIES

22 For planning, acquisition of sites and construction of
23 new facilities; purchase and acquisition of facilities and re-
24 modeling, and equipping of such facilities for penal and
25 correctional use, including all necessary expenses incident
26 thereto, by contract or force account; and constructing,

1 remodeling, and equipping necessary buildings and facili-
2 ties at existing penal and correctional institutions, includ-
3 ing all necessary expenses incident thereto, by contract or
4 force account, \$813,552,000, to remain available until ex-
5 pended, of which not to exceed \$14,000,000 shall be avail-
6 able to construct areas for inmate work programs: *Pro-*
7 *vided*, That labor of United States prisoners may be used
8 for work performed under this appropriation: *Provided*
9 *further*, That not to exceed 10 percent of the funds appro-
10 priated to “Buildings and Facilities” in this or any other
11 Act may be transferred to “Salaries and Expenses”, Fed-
12 eral Prison System, upon notification by the Attorney
13 General to the Committees on Appropriations of the
14 House of Representatives and the Senate in compliance
15 with provisions set forth in section 605 of this Act.

16 FEDERAL PRISON INDUSTRIES, INCORPORATED

17 The Federal Prison Industries, Incorporated, is here-
18 by authorized to make such expenditures, within the limits
19 of funds and borrowing authority available, and in accord
20 with the law, and to make such contracts and commit-
21 ments, without regard to fiscal year limitations as pro-
22 vided by section 9104 of title 31, United States Code, as
23 may be necessary in carrying out the program set forth
24 in the budget for the current fiscal year for such corpora-
25 tion, including purchase (not to exceed five for replace-
26 ment only) and hire of passenger motor vehicles.

1 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
2 PRISON INDUSTRIES, INCORPORATED

3 Not to exceed \$3,429,000 of the funds of the corpora-
4 tion shall be available for its administrative expenses, and
5 for services as authorized by 5 U.S.C. 3109, to be com-
6 puted on an accrual basis to be determined in accordance
7 with the corporation's current prescribed accounting sys-
8 tem, and such amounts shall be exclusive of depreciation,
9 payment of claims, and expenditures which the said ac-
10 counting system requires to be capitalized or charged to
11 cost of commodities acquired or produced, including sell-
12 ing and shipping expenses, and expenses in connection
13 with acquisition, construction, operation, maintenance, im-
14 provement, protection, or disposition of facilities and other
15 property belonging to the corporation or in which it has
16 an interest.

17 OFFICE OF JUSTICE PROGRAMS
18 JUSTICE ASSISTANCE

19 For grants, contracts, cooperative agreements, and
20 other assistance authorized by title I of the Omnibus
21 Crime Control and Safe Streets Act of 1968, as amended
22 ("the 1968 Act"), and the Missing Children's Assistance
23 Act, as amended, including salaries and expenses in con-
24 nection therewith, and with the Victims of Crime Act of
25 1984, as amended, \$187,877,000, to remain available

1 until expended, as authorized by section 1001 of title I
2 of the Omnibus Crime Control and Safe Streets Act of
3 1968, as amended by Public Law 102–534 (106 Stat.
4 3524).

5 In addition, for grants, cooperative agreements, and
6 other assistance authorized by sections 819 and 821 of
7 the Antiterrorism and Effective Death Penalty Act of
8 1996 and for other counterterrorism programs,
9 \$220,494,000, to remain available until expended.

10 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

11 For assistance authorized by the Violent Crime Con-
12 trol and Law Enforcement Act of 1994 (Public Law 103–
13 322), as amended (“the 1994 Act”); the Omnibus Crime
14 Control and Safe Streets Act of 1968, as amended (“the
15 1968 Act”); the Victims of Child Abuse Act of 1990, as
16 amended (“the 1990 Act”); and the Victims of Trafficking
17 and Violence Protection Act of 2000 (Public Law 106–
18 386); \$2,519,575,000 (including amounts for administra-
19 tive costs, which shall be transferred to and merged with
20 the “Justice Assistance” account), to remain available
21 until expended as follows:

22 (1) \$521,849,000 for Local Law Enforcement
23 Block Grants, pursuant to H.R. 728 as passed by
24 the House of Representatives on February 14, 1995,
25 except that for purposes of this Act, Guam shall be
26 considered a “State”, the Commonwealth of Puerto

1 Rico shall be considered a “unit of local govern-
2 ment” as well as a “State”, for the purposes set
3 forth in subparagraphs (A), (B), (D), (F), and (I)
4 of section 101(a)(2) of H.R. 728, and for estab-
5 lishing crime prevention programs involving coopera-
6 tion between community residents and law enforce-
7 ment personnel in order to control, detect, or inves-
8 tigate crime or the prosecution of criminals: *Pro-*
9 *vided*, That no funds provided under this heading
10 may be used as matching funds for any other Fed-
11 eral grant program, of which:

12 (A) \$60,000,000 shall be for Boys and
13 Girls Clubs in public housing facilities and
14 other areas in cooperation with State and local
15 law enforcement: *Provided*, That funds may
16 also be used to defray the costs of indemnifica-
17 tion insurance for law enforcement officers;

18 (B) \$6,000,000 shall be for the National
19 Police Athletic League pursuant to Public Law
20 106–367; and

21 (C) \$19,956,000 shall be available for
22 grants, contracts, and other assistance to carry
23 out section 102(c) of H.R. 728;

24 (2) \$565,000,000 for the State Criminal Alien
25 Assistance Program, as authorized by section 242(j)

1 of the Immigration and Nationality Act, as amend-
2 ed;

3 (3) \$35,000,000 for the Cooperative Agreement
4 Program;

5 (4) \$48,162,000 for assistance to Indian tribes,
6 of which:

7 (A) \$35,191,000 shall be available for
8 grants under section 20109(a)(2) of subtitle A
9 of title II of the 1994 Act;

10 (B) \$7,982,000 shall be available for the
11 Tribal Courts Initiative; and

12 (C) \$4,989,000 shall be available for dem-
13 onstration grants on alcohol and crime in In-
14 dian Country;

15 (5) \$570,000,000 for programs authorized by
16 part E of title I of the 1968 Act, notwithstanding
17 the provisions of section 511 of said Act, of which
18 \$70,000,000 shall be for discretionary grants under
19 the Edward Byrne Memorial State and Local Law
20 Enforcement Assistance Programs;

21 (6) \$11,975,000 for the Court Appointed Spe-
22 cial Advocate Program, as authorized by section 218
23 of the 1990 Act;

1 (7) \$2,296,000 for Child Abuse Training Pro-
2 grams for Judicial Personnel and Practitioners, as
3 authorized by section 224 of the 1990 Act;

4 (8) \$998,000 for grants for televised testimony,
5 as authorized by section 1001(a)(7) of the 1968 Act;

6 (9) \$184,537,000 for Grants to Combat Vio-
7 lence Against Women, to States, units of local gov-
8 ernment, and Indian tribal governments, as author-
9 ized by section 1001(a)(18) of the 1968 Act, of
10 which:

11 (A) \$1,000,000 shall be for the Bureau of
12 Justice Statistics for grants, contracts, and
13 other assistance for a domestic violence Federal
14 case processing study;

15 (B) \$5,200,000 shall be for the National
16 Institute of Justice for grants, contracts, and
17 other assistance for research and evaluation of
18 violence against women;

19 (C) \$10,000,000 shall be for the Office of
20 Juvenile Justice and Delinquency Prevention
21 for the Safe Start Program, to be administered
22 as authorized by part C of the Juvenile Justice
23 and Delinquency Act of 1974, as amended; and

1 (D) \$5,000,000 shall be for the National
2 Institute of Justice for grants, contracts, and
3 other assistance for research on family violence;

4 (10) \$64,925,000 for Grants to Encourage Ar-
5 rest Policies to States, units of local government,
6 and Indian tribal governments, as authorized by sec-
7 tion 1001(a)(19) of the 1968 Act;

8 (11) \$39,945,000 for Rural Domestic Violence
9 and Child Abuse Enforcement Assistance Grants, as
10 authorized by section 40295 of the 1994 Act;

11 (12) \$4,989,000 for training programs to assist
12 probation and parole officers who work with released
13 sex offenders, as authorized by section 40152(c) of
14 the 1994 Act, and for local demonstration projects;

15 (13) \$3,000,000 for grants to States and units
16 of local government to improve the process for enter-
17 ing data regarding stalking and domestic violence
18 into local, State, and national crime information
19 databases, as authorized by section 40602 of the
20 1994 Act;

21 (14) \$10,000,000 for grants to reduce Violent
22 Crimes Against Women on Campus, as authorized
23 by section 1108(a) of Public Law 106–386;

1 (15) \$40,000,000 for Legal Assistance for Vic-
2 tims, as authorized by section 1201 of Public Law
3 106–386;

4 (16) \$5,000,000 for enhancing protection for
5 older and disabled women from domestic violence
6 and sexual assault as authorized by section 40801 of
7 the 1994 Act;

8 (17) \$15,000,000 for the Safe Havens for Chil-
9 dren Pilot Program as authorized by section 1301 of
10 Public Law 106–386;

11 (18) \$200,000 for a report of effects of paren-
12 tal kidnapping laws in domestic violence cases, as
13 authorized by section 1303 of Public Law 106–386;

14 (19) \$200,000 for the study of standards and
15 processes for forensic exams of domestic violence, as
16 authorized by section 1405 of Public Law 106–386;

17 (20) \$7,500,000 for Education and Training to
18 end violence against and abuse of women with dis-
19 abilities, as authorized by section 1402 of Public
20 Law 106–386;

21 (21) \$10,000,000 for victim services programs
22 for victims of trafficking, as authorized by section
23 107(b)(2) of Public Law 106–386;

24 (22) \$73,861,000 for grants for residential sub-
25 stance abuse treatment for State prisoners, as au-

1 thorized by section 1001(a)(17) of the 1968 Act:
2 *Provided*, That States that have in-prison drug
3 treatment programs, in compliance with Federal re-
4 quirements, may use their residential substance
5 abuse grant funds for treatment, both during incar-
6 ceration and after release;

7 (23) \$898,000 for the Missing Alzheimer’s Dis-
8 ease Patient Alert Program, as authorized by section
9 240001(c) of the 1994 Act;

10 (24) \$50,000,000 for Drug Courts, as author-
11 ized by title V of the 1994 Act;

12 (25) \$1,497,000 for Law Enforcement Family
13 Support Programs, as authorized by section
14 1001(a)(21) of the 1968 Act;

15 (26) \$1,995,000 for public awareness programs
16 addressing marketing scams aimed at senior citi-
17 zens, as authorized by section 250005(3) of the
18 1994 Act;

19 (27) \$249,450,000 for Juvenile Accountability
20 Incentive Block Grants, of which \$38,000,000 shall
21 be available for grants, contracts, and other assist-
22 ance under the Project ChildSafe Initiative, except
23 that such funds shall be subject to the same terms
24 and conditions as set forth in the provisions under
25 this heading for this program in Public Law 105–

1 119, but all references in such provisions to 1998
2 shall be deemed to refer instead to 2002, and Guam
3 shall be considered a “State” for the purposes of
4 title III of H.R. 3, as passed by the House of Rep-
5 resentatives on May 8, 1997; and

6 (28) \$1,298,000 for Motor Vehicle Theft Pre-
7 vention Programs, as authorized by section
8 220002(h) of the 1994 Act:

9 *Provided*, That funds made available in fiscal year 2002
10 under subpart 1 of part E of title I of the 1968 Act may
11 be obligated for programs to assist States in the litigation
12 processing of death penalty Federal habeas corpus peti-
13 tions and for drug testing initiatives: *Provided further*,
14 That, if a unit of local government uses any of the funds
15 made available under this title to increase the number of
16 law enforcement officers, the unit of local government will
17 achieve a net gain in the number of law enforcement offi-
18 cers who perform nonadministrative public safety service.

19 WEED AND SEED PROGRAM FUND

20 For necessary expenses, including salaries and re-
21 lated expenses of the Executive Office for Weed and Seed,
22 to implement “Weed and Seed” program activities,
23 \$58,925,000, to remain available until expended, for inter-
24 governmental agreements, including grants, cooperative
25 agreements, and contracts, with State and local law en-
26 forcement agencies, non-profit organizations, and agencies

1 of local government engaged in the investigation and pros-
 2 ecution of violent crimes and drug offenses in “Weed and
 3 Seed” designated communities, and for either reimburse-
 4 ments or transfers to appropriation accounts of the De-
 5 partment of Justice and other Federal agencies which
 6 shall be specified by the Attorney General to execute the
 7 “Weed and Seed” program strategy: *Provided*, That funds
 8 designated by Congress through language for other De-
 9 partment of Justice appropriation accounts for “Weed and
 10 Seed” program activities shall be managed and executed
 11 by the Attorney General through the Executive Office for
 12 Weed and Seed: *Provided further*, That the Attorney Gen-
 13 eral may direct the use of other Department of Justice
 14 funds and personnel in support of “Weed and Seed” pro-
 15 gram activities only after the Attorney General notifies the
 16 Committees on Appropriations of the House of Represent-
 17 atives and the Senate in accordance with section 605 of
 18 this Act.

19 COMMUNITY ORIENTED POLICING SERVICES

20 For activities authorized by the Violent Crime Con-
 21 trol and Law Enforcement Act of 1994, Public Law 103–
 22 322 (“the 1994 Act”) (including administrative costs),
 23 \$1,013,498,000, to remain available until expended: *Pro-*
 24 *vided*, That no funds that become available as a result of
 25 deobligations from prior year balances, excluding those for
 26 program management and administration, may be obli-

1 gated except in accordance with section 605 of this Act:
2 *Provided further*, That section 1703 (b) and (c) of the
3 1968 Act shall not apply to non-hiring grants made pursu-
4 ant to part Q of title I thereof (42 U.S.C. 3796dd et seq.):
5 *Provided further*, That all prior year balances derived from
6 the Violent Crime Trust Fund for Community Oriented
7 Policing Services may be transferred into this appropria-
8 tion.

9 Of the amounts provided:

10 (1) for Public Safety and Community Policing
11 Grants pursuant to title I of the 1994 Act,
12 \$470,249,000 as follows: \$330,000,000 for the hir-
13 ing of law enforcement officers, including school re-
14 source officers; \$20,662,000 for training and tech-
15 nical assistance; \$25,444,000 for the matching grant
16 program for Law Enforcement Armor Vests pursu-
17 ant to section 2501 of part Y of the Omnibus Crime
18 Control and Safe Streets Act of 1968, as amended
19 (“the 1968 Act”); \$31,315,000 to improve tribal law
20 enforcement including equipment and training;
21 \$48,393,000 for policing initiatives to combat meth-
22 amphetamine production and trafficking and to en-
23 hance policing initiatives in “drug hot spots”; and
24 \$14,435,000 for Police Corps education, training,

1 and service under sections 200101–200113 of the
2 1994 Act;

3 (2) for crime technology, \$363,611,000 as fol-
4 lows: \$150,000,000 for a law enforcement tech-
5 nology program; \$35,000,000 for grants to upgrade
6 criminal records, as authorized under the Crime
7 Identification Technology Act of 1998 (42 U.S.C.
8 14601); \$40,000,000 for DNA testing as authorized
9 by the DNA Analysis Backlog Elimination Act of
10 2000 (Public Law 106–546); \$35,000,000 for State
11 and local DNA laboratories as authorized by section
12 1001(a)(22) of the 1968 Act, and for improvements
13 to State and local forensic laboratories’ general
14 science capacity and capability; and \$103,611,000
15 for grants, contracts and other assistance to States
16 under section 102(b) of the Crime Identification
17 Technology Act of 1998 (42 U.S.C. 14601), of
18 which \$17,000,000 is for the National Institute of
19 Justice for grants, contracts, and other agreements
20 to develop school safety technologies and training;

21 (3) for prosecution assistance, \$99,780,000 as
22 follows: \$49,780,000 for a national program to re-
23 duce gun violence, and \$50,000,000 for the South-
24 west Border Prosecutor Initiative;

1 (4) for grants, training, technical assistance,
2 and other expenses to support community crime pre-
3 vention efforts, \$46,864,000 as follows: \$14,967,000
4 for Project Sentry; \$14,934,000 for an offender re-
5 entry program; and \$16,963,000 for a police integ-
6 rity program; and

7 (5) not to exceed \$32,994,000 for program
8 management and administration.

9 JUVENILE JUSTICE PROGRAMS

10 For grants, contracts, cooperative agreements, and
11 other assistance authorized by the Juvenile Justice and
12 Delinquency Prevention Act of 1974, as amended (“the
13 Act”), including salaries and expenses in connection there-
14 with to be transferred to and merged with the appropria-
15 tions for Justice Assistance, \$278,483,000, to remain
16 available until expended, as authorized by section 299 of
17 part I of title II and section 506 of title V of the Act,
18 as amended by Public Law 102–586, of which: (1) not-
19 withstanding any other provision of law, \$6,832,000 shall
20 be available for expenses authorized by part A of title II
21 of the Act, \$88,804,000 shall be available for expenses au-
22 thorized by part B of title II of the Act, and \$50,139,000
23 shall be available for expenses authorized by part C of title
24 II of the Act: *Provided*, That \$26,442,000 of the amounts
25 provided for part B of title II of the Act, as amended,
26 is for the purpose of providing additional formula grants

1 under part B to States that provide assurances to the Ad-
2 ministrator that the State has in effect (or will have in
3 effect no later than 1 year after date of application) poli-
4 cies and programs that ensure that juveniles are subject
5 to accountability-based sanctions for every act for which
6 they are adjudicated delinquent; (2) \$11,974,000 shall be
7 available for expenses authorized by sections 281 and 282
8 of part D of title II of the Act for prevention and treat-
9 ment programs relating to juvenile gangs; (3) \$9,978,000
10 shall be available for expenses authorized by section 285
11 of part E of title II of the Act; (4) \$15,965,000 shall be
12 available for expenses authorized by part G of title II of
13 the Act for juvenile mentoring programs; and (5)
14 \$94,791,000 shall be available for expenses authorized by
15 title V of the Act for incentive grants for local delinquency
16 prevention programs; of which \$12,472,000 shall be for
17 delinquency prevention, control, and system improvement
18 programs for tribal youth; of which \$14,967,000 shall be
19 available for the Safe Schools Initiative including
20 \$5,033,000 for grants, contracts, and other assistance
21 under the Project Sentry Initiative; and of which
22 \$37,000,000 shall be available for grants, contracts and
23 other assistance under the Project ChildSafe Initiative:
24 *Provided further*, That of amounts made available under
25 the Juvenile Justice Programs of the Office of Justice

1 Programs to carry out part B (relating to Federal Assist-
2 ance for State and Local Programs), subpart II of part
3 C (relating to Special Emphasis Prevention and Treat-
4 ment Programs), part D (relating to Gang-Free Schools
5 and Communities and Community-Based Gang Interven-
6 tion), part E (relating to State Challenge Activities), and
7 part G (relating to Mentoring) of title II of the Juvenile
8 Justice and Delinquency Prevention Act of 1974, and to
9 carry out the At-Risk Children's Program under title V
10 of that Act, not more than 10 percent of each such amount
11 may be used for research, evaluation, and statistics activi-
12 ties designed to benefit the programs or activities author-
13 ized under the appropriate part or title, and not more than
14 2 percent of each such amount may be used for training
15 and technical assistance activities designed to benefit the
16 programs or activities authorized under that part or title.

17 In addition, for grants, contracts, cooperative agree-
18 ments, and other assistance, \$10,976,000 to remain avail-
19 able until expended, for developing, testing, and dem-
20 onstrating programs designed to reduce drug use among
21 juveniles.

22 In addition, for grants, contracts, cooperative agree-
23 ments, and other assistance authorized by the Victims of
24 Child Abuse Act of 1990, as amended, \$8,481,000, to re-

1 main available until expended, as authorized by section
2 214B of the Act.

3 PUBLIC SAFETY OFFICERS BENEFITS

4 To remain available until expended, for payments au-
5 thorized by part L of title I of the Omnibus Crime Control
6 and Safe Streets Act of 1968 (42 U.S.C. 3796), as amend-
7 ed, such sums as are necessary, as authorized by section
8 6093 of Public Law 100–690 (102 Stat. 4339–4340); and
9 \$2,395,000, to remain available until expended for pay-
10 ments as authorized by section 1201(b) of said Act.

11 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

12 SEC. 101. In addition to amounts otherwise made
13 available in this title for official reception and representa-
14 tion expenses, a total of not to exceed \$45,000 from funds
15 appropriated to the Department of Justice in this title
16 shall be available to the Attorney General for official re-
17 ception and representation expenses in accordance with
18 distributions, procedures, and regulations established by
19 the Attorney General.

20 SEC. 102. Authorities contained in the Department
21 of Justice Appropriation Authorization Act, Fiscal Year
22 1980 (Public Law 96–132; 93 Stat. 1040 (1979)), as
23 amended, shall remain in effect until the effective date of
24 a subsequent Department of Justice Appropriation Au-
25 thorization Act.

1 SEC. 103. None of the funds appropriated by this
2 title shall be available to pay for an abortion, except where
3 the life of the mother would be endangered if the fetus
4 were carried to term, or in the case of rape: *Provided*,
5 That should this prohibition be declared unconstitutional
6 by a court of competent jurisdiction, this section shall be
7 null and void.

8 SEC. 104. None of the funds appropriated under this
9 title shall be used to require any person to perform, or
10 facilitate in any way the performance of, any abortion.

11 SEC. 105. Nothing in the preceding section shall re-
12 move the obligation of the Director of the Bureau of Pris-
13 ons to provide escort services necessary for a female in-
14 mate to receive such service outside the Federal facility:
15 *Provided*, That nothing in this section in any way dimin-
16 ishes the effect of section 104 intended to address the phil-
17 osophical beliefs of individual employees of the Bureau of
18 Prisons.

19 SEC. 106. Notwithstanding any other provision of
20 law, not to exceed \$10,000,000 of the funds made avail-
21 able in this Act may be used to establish and publicize
22 a program under which publicly advertised, extraordinary
23 rewards may be paid, which shall not be subject to spend-
24 ing limitations contained in sections 3059 and 3072 of
25 title 18, United States Code: *Provided*, That any reward

1 of \$100,000 or more, up to a maximum of \$2,000,000,
2 may not be made without the personal approval of the
3 President or the Attorney General and such approval may
4 not be delegated.

5 SEC. 107. Not to exceed 5 percent of any appropria-
6 tion made available for the current fiscal year for the De-
7 partment of Justice in this Act may be transferred be-
8 tween such appropriations, but no such appropriation, ex-
9 cept as otherwise specifically provided, shall be increased
10 by more than 10 percent by any such transfers: *Provided*,
11 That any transfer pursuant to this section shall be treated
12 as a reprogramming of funds under section 605 of this
13 Act and shall not be available for obligation except in com-
14 pliance with the procedures set forth in that section.

15 SEC. 108. Notwithstanding any other provision of
16 law, \$1,000,000 shall be available for technical assistance
17 from the funds appropriated for part G of title II of the
18 Juvenile Justice and Delinquency Prevention Act of 1974,
19 as amended.

20 SEC. 109. Section 286 of the Immigration and Na-
21 tionality Act (8 U.S.C. 1356), as amended, is further
22 amended as follows:

23 (1) by striking in subsection (d) “\$6”, and in-
24 serting “\$7”;

1 (2) by amending subsection (e)(1), by replacing
2 “No” with “Except as provided in paragraph (3),
3 no”; and

4 (3) by adding a new paragraph (e)(3) as fol-
5 lows:

6 “(3) The Attorney General is authorized to
7 charge and collect \$3 per individual for the immigra-
8 tion inspection or pre-inspection of each commercial
9 vessel passenger whose journey originated in the
10 United States or in any place set forth in paragraph
11 (1): *Provided*, That this authorization shall not
12 apply to immigration inspection at designated ports
13 of entry of passengers arriving by the following ves-
14 sels, when operating on a regular schedule: Great
15 Lakes international ferries, or Great Lakes Vessels
16 on the Great Lakes and connecting waterways.”.

17 This title may be cited as the “Department of Justice
18 Appropriations Act, 2002”.

1 TITLE II—DEPARTMENT OF COMMERCE AND
2 RELATED AGENCIES

3 TRADE AND INFRASTRUCTURE DEVELOPMENT
4 RELATED AGENCIES

5 OFFICE OF THE UNITED STATES TRADE
6 REPRESENTATIVE

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of the United
9 States Trade Representative, including the hire of pas-
10 senger motor vehicles and the employment of experts and
11 consultants as authorized by 5 U.S.C. 3109, \$30,097,000,
12 of which \$1,000,000 shall remain available until expended:
13 *Provided*, That not to exceed \$98,000 shall be available
14 for official reception and representation expenses.

15 INTERNATIONAL TRADE COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the International Trade
18 Commission, including hire of passenger motor vehicles,
19 and services as authorized by 5 U.S.C. 3109, and not to
20 exceed \$2,500 for official reception and representation ex-
21 penses, \$51,440,000, to remain available until expended.

1 DEPARTMENT OF COMMERCE

2 INTERNATIONAL TRADE ADMINISTRATION

3 OPERATIONS AND ADMINISTRATION

4 For necessary expenses for international trade activi-
5 ties of the Department of Commerce provided for by law,
6 and for engaging in trade promotional activities abroad,
7 including expenses of grants and cooperative agreements
8 for the purpose of promoting exports of United States
9 firms, without regard to 44 U.S.C. 3702 and 3703; full
10 medical coverage for dependent members of immediate
11 families of employees stationed overseas and employees
12 temporarily posted overseas; travel and transportation of
13 employees of the United States and Foreign Commercial
14 Service between two points abroad, without regard to 49
15 U.S.C. 1517; employment of Americans and aliens by con-
16 tract for services; rental of space abroad for periods not
17 exceeding 10 years, and expenses of alteration, repair, or
18 improvement; purchase or construction of temporary de-
19 mountable exhibition structures for use abroad; payment
20 of tort claims, in the manner authorized in the first para-
21 graph of 28 U.S.C. 2672 when such claims arise in foreign
22 countries; not to exceed \$327,000 for official representa-
23 tion expenses abroad; purchase of passenger motor vehi-
24 cles for official use abroad, not to exceed \$30,000 per vehi-
25 cle; obtaining insurance on official motor vehicles; and

1 rental of tie lines, \$347,654,000, to remain available until
 2 expended, of which \$3,000,000 is to be derived from fees
 3 to be retained and used by the International Trade Admin-
 4 istration, notwithstanding 31 U.S.C. 3302: *Provided*, That
 5 \$66,919,000 shall be for Trade Development,
 6 \$27,741,000 shall be for Market Access and Compliance,
 7 \$43,346,000 shall be for the Import Administration,
 8 \$196,791,000 shall be for the United States and Foreign
 9 Commercial Service, and \$12,857,000 shall be for Execu-
 10 tive Direction and Administration: *Provided further*, That
 11 the provisions of the first sentence of section 105(f) and
 12 all of section 108(c) of the Mutual Educational and Cul-
 13 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and
 14 2458(c)) shall apply in carrying out these activities with-
 15 out regard to section 5412 of the Omnibus Trade and
 16 Competitiveness Act of 1988 (15 U.S.C. 4912); and that
 17 for the purpose of this Act, contributions under the provi-
 18 sions of the Mutual Educational and Cultural Exchange
 19 Act shall include payment for assessments for services pro-
 20 vided as part of these activities.

21 EXPORT ADMINISTRATION

22 OPERATIONS AND ADMINISTRATION

23 For necessary expenses for export administration and
 24 national security activities of the Department of Com-
 25 merce, including costs associated with the performance of

1 export administration field activities both domestically and
2 abroad; full medical coverage for dependent members of
3 immediate families of employees stationed overseas; em-
4 ployment of Americans and aliens by contract for services
5 abroad; payment of tort claims, in the manner authorized
6 in the first paragraph of 28 U.S.C. 2672 when such claims
7 arise in foreign countries; not to exceed \$15,000 for offi-
8 cial representation expenses abroad; awards of compensa-
9 tion to informers under the Export Administration Act of
10 1979, and as authorized by 22 U.S.C. 401(b); purchase
11 of passenger motor vehicles for official use and motor vehi-
12 cles for law enforcement use with special requirement vehi-
13 cles eligible for purchase without regard to any price limi-
14 tation otherwise established by law, \$68,893,000, to re-
15 main available until expended, of which \$7,250,000 shall
16 be for inspections and other activities related to national
17 security: *Provided*, That the provisions of the first sen-
18 tence of section 105(f) and all of section 108(c) of the
19 Mutual Educational and Cultural Exchange Act of 1961
20 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying
21 out these activities: *Provided further*, That payments and
22 contributions collected and accepted for materials or serv-
23 ices provided as part of such activities may be retained
24 for use in covering the cost of such activities, and for pro-
25 viding information to the public with respect to the export

1 administration and national security activities of the De-
2 partment of Commerce and other export control programs
3 of the United States and other governments.

4 ECONOMIC DEVELOPMENT ADMINISTRATION

5 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

6 For grants for economic development assistance as
7 provided by the Public Works and Economic Development
8 Act of 1965, as amended, and for trade adjustment assist-
9 ance, \$335,000,000, to remain available until expended.

10 SALARIES AND EXPENSES

11 For necessary expenses of administering the eco-
12 nomic development assistance programs as provided for by
13 law, \$30,557,000: *Provided*, That these funds may be used
14 to monitor projects approved pursuant to title I of the
15 Public Works Employment Act of 1976, as amended, title
16 II of the Trade Act of 1974, as amended, and the Commu-
17 nity Emergency Drought Relief Act of 1977.

18 MINORITY BUSINESS DEVELOPMENT AGENCY

19 MINORITY BUSINESS DEVELOPMENT

20 For necessary expenses of the Department of Com-
21 merce in fostering, promoting, and developing minority
22 business enterprise, including expenses of grants, con-
23 tracts, and other agreements with public or private organi-
24 zations, \$28,381,000.

1 ECONOMIC AND INFORMATION INFRASTRUCTURE

2 ECONOMIC AND STATISTICAL ANALYSIS

3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, of eco-
 5 nomic and statistical analysis programs of the Department
 6 of Commerce, \$62,515,000, to remain available until Sep-
 7 tember 30, 2003.

8 BUREAU OF THE CENSUS

9 SALARIES AND EXPENSES

10 For expenses necessary for collecting, compiling, ana-
 11 lyzing, preparing, and publishing statistics, provided for
 12 by law, \$169,424,000.

13 PERIODIC CENSUSES AND PROGRAMS

14 For necessary expenses related to the 2000 decennial
 15 census, \$114,238,000 (reduced by \$2,500,000) to remain
 16 available until expended: *Provided*, That, of the total
 17 amount available related to the 2000 decennial census
 18 (\$114,238,000 in new appropriations and \$25,000,000 in
 19 deobligated balances from prior years), \$8,606,000 is for
 20 Program Development and Management; \$68,330,000 is
 21 for Data Content and Products; \$9,455,000 is for Field
 22 Data Collection and Support Systems; \$24,462,000 is for
 23 Automated Data Processing and Telecommunications
 24 Support; \$22,844,000 is for Testing and Evaluation;
 25 \$3,105,000 is for activities related to Puerto Rico, the Vir-

1 gin Islands and Pacific Areas; and \$2,436,000 is for Mar-
2 keting, Communications and Partnership activities.

3 In addition, for expenses related to planning, testing,
4 and implementing the long-form transitional database for
5 the 2010 decennial census, \$65,000,000 (increased by
6 \$2,500,000).

7 In addition, for expenses to collect and publish statis-
8 tics for other periodic censuses and programs provided for
9 by law, \$171,138,000, to remain available until expended:
10 *Provided*, That regarding engineering and design of a fa-
11 cility at the Suitland Federal Center, quarterly reports re-
12 garding the expenditure of funds and project planning, de-
13 sign and cost decisions shall be provided by the Bureau,
14 in cooperation with the General Services Administration,
15 to the Committees on Appropriations of the Senate and
16 the House of Representatives: *Provided further*, That none
17 of the funds provided in this Act or any other Act under
18 the heading “Bureau of the Census, Periodic Censuses
19 and Programs” shall be used to fund the construction and
20 tenant build-out costs of a facility at the Suitland Federal
21 Center.

1 NATIONAL TELECOMMUNICATIONS AND INFORMATION
2 ADMINISTRATION
3 SALARIES AND EXPENSES

4 For necessary expenses, as provided for by law, of
5 the National Telecommunications and Information Ad-
6 ministration (NTIA), \$13,048,000, to remain available
7 until expended: *Provided*, That, notwithstanding 31
8 U.S.C. 1535(d), the Secretary of Commerce shall charge
9 Federal agencies for costs incurred in spectrum manage-
10 ment, analysis, and operations, and related services and
11 such fees shall be retained and used as offsetting collec-
12 tions for costs of such spectrum services, to remain avail-
13 able until expended: *Provided further*, That hereafter, not-
14 withstanding any other provision of law, NTIA shall not
15 authorize spectrum use or provide any spectrum functions
16 pursuant to the National Telecommunications and Infor-
17 mation Administration Organization Act, 47 U.S.C. 902–
18 903, to any Federal entity without reimbursement as re-
19 quired by NTIA for such spectrum management costs, and
20 Federal entities withholding payment of such cost shall
21 not use spectrum: *Provided further*, That the Secretary of
22 Commerce is authorized to retain and use as offsetting
23 collections all funds transferred, or previously transferred,
24 from other Government agencies for all costs incurred in
25 telecommunications research, engineering, and related ac-

1 tivities by the Institute for Telecommunication Sciences
 2 of NTIA, in furtherance of its assigned functions under
 3 this paragraph, and such funds received from other Gov-
 4 ernment agencies shall remain available until expended.

5 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
 6 AND CONSTRUCTION

7 For grants authorized by section 392 of the Commu-
 8 nications Act of 1934, as amended, \$43,466,000, to re-
 9 main available until expended as authorized by section 391
 10 of the Act, as amended: *Provided*, That not to exceed
 11 \$2,358,000 shall be available for program administration
 12 as authorized by section 391 of the Act: *Provided further*,
 13 That, notwithstanding the provisions of section 391 of the
 14 Act, the prior year unobligated balances may be made
 15 available for grants for projects for which applications
 16 have been submitted and approved during any fiscal year.

17 INFORMATION INFRASTRUCTURE GRANTS

18 For grants authorized by section 392 of the Commu-
 19 nications Act of 1934, as amended, \$15,503,000, to re-
 20 main available until expended as authorized by section 391
 21 of the Act, as amended: *Provided*, That not to exceed
 22 \$3,097,000 shall be available for program administration
 23 and other support activities as authorized by section 391:
 24 *Provided further*, That, of the funds appropriated herein,
 25 not to exceed 5 percent may be available for telecommuni-
 26 cations research activities for projects related directly to

1 the development of a national information infrastructure:
 2 *Provided further*, That, notwithstanding the requirements
 3 of sections 392(a) and 392(c) of the Act, these funds may
 4 be used for the planning and construction of telecommuni-
 5 cations networks for the provision of educational, cultural,
 6 health care, public information, public safety, or other so-
 7 cial services: *Provided further*, That, notwithstanding any
 8 other provision of law, no entity that receives tele-
 9 communications services at preferential rates under sec-
 10 tion 254(h) of the Act (47 U.S.C. 254(h)) or receives as-
 11 sistance under the regional information sharing systems
 12 grant program of the Department of Justice under part
 13 M of title I of the Omnibus Crime Control and Safe
 14 Streets Act of 1968 (42 U.S.C. 3796h) may use funds
 15 under a grant under this heading to cover any costs of
 16 the entity that would otherwise be covered by such pref-
 17 erential rates or such assistance, as the case may be.

18 UNITED STATES PATENT AND TRADEMARK OFFICE

19 SALARIES AND EXPENSES

20 For necessary expenses of the United States Patent
 21 and Trademark Office provided for by law, including de-
 22 fense of suits instituted against the Under Secretary of
 23 Commerce for Intellectual Property and Director of the
 24 United States Patent and Trademark Office,
 25 \$846,701,000, to remain available until expended, which

1 amount shall be derived from offsetting collections as-
 2 sessed and collected pursuant to 15 U.S.C. 1113 and 35
 3 U.S.C. 41 and 376, and shall be retained and used for
 4 necessary expenses in this appropriation: *Provided*, That
 5 the sum herein appropriated from the general fund shall
 6 be reduced as such offsetting collections are received dur-
 7 ing fiscal year 2002, so as to result in a final fiscal year
 8 2002 appropriation from the general fund estimated at \$0:
 9 *Provided further*, That during fiscal year 2002, should the
 10 total amount of offsetting fee collections be less than
 11 \$846,701,000, the total amounts available to the United
 12 States Patent and Trademark Office shall be reduced ac-
 13 cordingly: *Provided further*, That an additional amount
 14 not to exceed \$282,300,000 from fees collected in prior
 15 fiscal years shall be available for obligation in fiscal year
 16 2002.

17 SCIENCE AND TECHNOLOGY

18 TECHNOLOGY ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses for the Under Secretary for
 21 Technology/Office of Technology Policy, \$8,094,000.

22 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

23 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

24 For necessary expenses of the National Institute of
 25 Standards and Technology, \$348,589,000, to remain

1 available until expended, of which not to exceed \$282,000
2 may be transferred to the “Working Capital Fund”.

3 INDUSTRIAL TECHNOLOGY SERVICES

4 For necessary expenses of the Manufacturing Exten-
5 sion Partnership of the National Institute of Standards
6 and Technology, \$106,522,000, to remain available until
7 expended.

8 In addition, for necessary expenses of the Advanced
9 Technology Program of the National Institute of Stand-
10 ards and Technology, \$12,992,000, to remain available
11 until expended.

12 CONSTRUCTION OF RESEARCH FACILITIES

13 For construction of new research facilities, including
14 architectural and engineering design, and for renovation
15 of existing facilities, not otherwise provided for the Na-
16 tional Institute of Standards and Technology, as author-
17 ized by 15 U.S.C. 278c–278e, \$20,893,000, to remain
18 available until expended.

19 NATIONAL OCEANIC AND ATMOSPHERIC

20 ADMINISTRATION

21 OPERATIONS, RESEARCH, AND FACILITIES

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses of activities authorized by law
24 for the National Oceanic and Atmospheric Administration,
25 including maintenance, operation, and hire of aircraft;
26 grants, contracts, or other payments to nonprofit organi-

1 zations for the purposes of conducting activities pursuant
 2 to cooperative agreements; and relocation of facilities as
 3 authorized by 33 U.S.C. 883i, \$2,197,298,000, to remain
 4 available until expended: *Provided*, That fees and dona-
 5 tions received by the National Ocean Service for the man-
 6 agement of the national marine sanctuaries may be re-
 7 tained and used for the salaries and expenses associated
 8 with those activities, notwithstanding 31 U.S.C. 3302:
 9 *Provided further*, That, in addition, \$68,000,000 shall be
 10 derived by transfer from the fund entitled “Promote and
 11 Develop Fishery Products and Research Pertaining to
 12 American Fisheries”: *Provided further*, That grants to
 13 States pursuant to sections 306 and 306A of the Coastal
 14 Zone Management Act of 1972, as amended, shall not ex-
 15 ceed \$2,000,000: *Provided further*, That, of the
 16 \$2,220,298,000 provided for in direct obligations under
 17 this heading (of which \$2,197,298,000 is appropriated
 18 from the General Fund, \$71,000,000 is provided by trans-
 19 fer, and \$17,000,000 is derived from deobligations from
 20 prior years), \$375,609,000 shall be for the National
 21 Ocean Service, \$542,121,000 shall be for the National
 22 Marine Fisheries Service, \$317,483,000 shall be for Oce-
 23 anic and Atmospheric Research, \$659,349,000 shall be for
 24 the National Weather Service, \$149,624,000 shall be for
 25 the National Environmental Satellite, Data, and Informa-

tion Service, and \$176,112,000 shall be for Program Support: *Provided further*, That, hereafter, ocean assessment, coastal ocean, protected resources, and habitat conservation activities under this heading shall be considered to be within the “Coastal Assistance sub-category” in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That, of the amount provided under this heading, \$304,000,000 shall be for the conservation activities defined in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That no general administrative charge shall be applied against an assigned activity included in this Act and, further, that any direct administrative expenses applied against an assigned activity shall be limited to 5 percent of the funds provided for that assigned activity so that total National Oceanic and Atmospheric Administration administrative expenses shall not exceed \$257,200,000: *Provided further*, That any use of deobligated balances of funds provided under this heading in previous years shall be subject to the procedures set forth in section 605 of this Act: *Provided further*, That, in addition, not to exceed \$3,000,000 shall be derived by transfer from the fund entitled “Coastal Zone Management”.

1 In addition, for necessary retired pay expenses under
2 the Retired Serviceman's Family Protection and Survivor
3 Benefits Plan, and for payments for medical care of re-
4 tired personnel and their dependents under the Depend-
5 ents Medical Care Act (10 U.S.C. ch. 55), such sums as
6 may be necessary.

7 PROCUREMENT, ACQUISITION AND CONSTRUCTION
8 (INCLUDING TRANSFERS OF FUNDS)

9 For procurement, acquisition and construction of
10 capital assets, including alteration and modification costs,
11 of the National Oceanic and Atmospheric Administration,
12 \$749,000,000, to remain available until expended: *Pro-*
13 *vided*, That unexpended balances of amounts previously
14 made available in the "Operations, Research, and Facili-
15 ties" account for activities funded under this heading may
16 be transferred to and merged with this account, to remain
17 available until expended for the purposes for which the
18 funds were originally appropriated: *Provided further*, That,
19 of the amount provided under this heading, \$26,000,000
20 shall be for the conservation activities defined in section
21 250(c)(4)(K) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985, as amended: *Provided further*,
23 That none of the funds provided in this Act or any other
24 Act under the heading "National Oceanic and Atmos-
25 pheric Administration, Procurement, Acquisition and Con-
26 struction" shall be used to fund the General Services Ad-

1 ministration's standard construction and tenant build-out
2 costs of a facility at the Suitland Federal Center.

3 PACIFIC COASTAL SALMON RECOVERY

4 For necessary expenses associated with the restora-
5 tion of Pacific salmon populations and the implementation
6 of the 1999 Pacific Salmon Treaty Agreement between the
7 United States and Canada, \$110,000,000, subject to ex-
8 press authorization: *Provided*, That this amount shall be
9 for the conservation activities defined in section
10 250(c)(4)(K) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985, as amended.

12 In addition, for implementation of the 1999 Pacific
13 Salmon Treaty Agreement, \$25,000,000, of which
14 \$10,000,000 shall be deposited in the Northern Boundary
15 and Transboundary Rivers Restoration and Enhancement
16 Fund, of which \$10,000,000 shall be deposited in the
17 Southern Boundary Restoration and Enhancement Fund,
18 and of which \$5,000,000 shall be for a direct payment
19 to the State of Washington for obligations under the 1999
20 Pacific Salmon Treaty Agreement.

21 COASTAL ZONE MANAGEMENT FUND

22 Of amounts collected pursuant to section 308 of the
23 Coastal Zone Management Act of 1972 (16 U.S.C.
24 1456a), not to exceed \$3,000,000 shall be transferred to
25 the "Operations, Research, and Facilities" account to off-
26 set the costs of implementing such Act.

1 FISHermen's CONTINGENCY FUND

2 For carrying out the provisions of title IV of Public
3 Law 95–372, not to exceed \$952,000, to be derived from
4 receipts collected pursuant to that Act, to remain available
5 until expended.

6 FOREIGN FISHING OBSERVER FUND

7 For expenses necessary to carry out the provisions
8 of the Atlantic Tunas Convention Act of 1975, as amend-
9 ed (Public Law 96–339), the Magnuson-Stevens Fishery
10 Conservation and Management Act of 1976, as amended
11 (Public Law 100–627), and the American Fisheries Pro-
12 motion Act (Public Law 96–561), to be derived from the
13 fees imposed under the foreign fishery observer program
14 authorized by these Acts, not to exceed \$191,000, to re-
15 main available until expended.

16 FISHERIES FINANCE PROGRAM ACCOUNT

17 For the cost of direct loans, \$287,000, as authorized
18 by the Merchant Marine Act of 1936, as amended: *Pro-*
19 *vided*, That such costs, including the cost of modifying
20 such loans, shall be as defined in section 502 of the Con-
21 gressional Budget Act of 1974: *Provided further*, That
22 none of the funds made available under this heading may
23 be used for direct loans for any new fishing vessel that
24 will increase the harvesting capacity in any United States
25 fishery.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 For expenses necessary for the departmental manage-
4 ment of the Department of Commerce provided for by law,
5 including not to exceed \$3,000 for official entertainment,
6 \$37,843,000 (reduced by \$2,000,000).

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, as amended (5 U.S.C. App. 1–11,
11 as amended by Public Law 100–504), \$21,176,000.

12 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

13 SEC. 201. During the current fiscal year, applicable
14 appropriations and funds made available to the Depart-
15 ment of Commerce by this Act shall be available for the
16 activities specified in the Act of October 26, 1949 (15
17 U.S.C. 1514), to the extent and in the manner prescribed
18 by the Act, and, notwithstanding 31 U.S.C. 3324, may
19 be used for advanced payments not otherwise authorized
20 only upon the certification of officials designated by the
21 Secretary of Commerce that such payments are in the
22 public interest.

23 SEC. 202. During the current fiscal year, appropria-
24 tions made available to the Department of Commerce by
25 this Act for salaries and expenses shall be available for
26 hire of passenger motor vehicles as authorized by 31

1 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
2 3109; and uniforms or allowances therefore, as authorized
3 by law (5 U.S.C. 5901–5902).

4 SEC. 203. None of the funds made available by this
5 Act may be used to support the hurricane reconnaissance
6 aircraft and activities that are under the control of the
7 United States Air Force or the United States Air Force
8 Reserve.

9 SEC. 204. Not to exceed 5 percent of any appropria-
10 tion made available for the current fiscal year for the De-
11 partment of Commerce in this Act may be transferred be-
12 tween such appropriations, but no such appropriation shall
13 be increased by more than 10 percent by any such trans-
14 fers: *Provided*, That any transfer pursuant to this section
15 shall be treated as a reprogramming of funds under sec-
16 tion 605 of this Act and shall not be available for obliga-
17 tion or expenditure except in compliance with the proce-
18 dures set forth in that section.

19 SEC. 205. Any costs incurred by a department or
20 agency funded under this title resulting from personnel
21 actions taken in response to funding reductions included
22 in this title or from actions taken for the care and protec-
23 tion of loan collateral or grant property shall be absorbed
24 within the total budgetary resources available to such de-
25 partment or agency: *Provided*, That the authority to trans-

1 fer funds between appropriations accounts as may be nec-
2 essary to carry out this section is provided in addition to
3 authorities included elsewhere in this Act: *Provided fur-*
4 *ther*, That use of funds to carry out this section shall be
5 treated as a reprogramming of funds under section 605
6 of this Act and shall not be available for obligation or ex-
7 penditure except in compliance with the procedures set
8 forth in that section.

9 SEC. 206. The Secretary of Commerce may award
10 contracts for hydrographic, geodetic, and photo-
11 grammetric surveying and mapping services in accordance
12 with title IX of the Federal Property and Administrative
13 Services Act of 1949 (40 U.S.C. 541 et seq.).

14 SEC. 207. The Secretary of Commerce may use the
15 Commerce franchise fund for expenses and equipment nec-
16 essary for the maintenance and operation of such adminis-
17 trative services as the Secretary determines may be per-
18 formed more advantageously as central services, pursuant
19 to section 403 of Public Law 103–356: *Provided*, That any
20 inventories, equipment, and other assets pertaining to the
21 services to be provided by such fund, either on hand or
22 on order, less the related liabilities or unpaid obligations,
23 and any appropriations made for the purpose of providing
24 capital shall be used to capitalize such fund: *Provided fur-*
25 *ther*, That such fund shall be paid in advance from funds

1 available to the Department and other Federal agencies
2 for which such centralized services are performed, at rates
3 which will return in full all expenses of operation, includ-
4 ing accrued leave, depreciation of fund plant and equip-
5 ment, amortization of automated data processing (ADP)
6 software and systems (either acquired or donated), and
7 an amount necessary to maintain a reasonable operating
8 reserve, as determined by the Secretary: *Provided further*,
9 That such fund shall provide services on a competitive
10 basis: *Provided further*, That an amount not to exceed 4
11 percent of the total annual income to such fund may be
12 retained in the fund for fiscal year 2002 and each fiscal
13 year thereafter, to remain available until expended, to be
14 used for the acquisition of capital equipment, and for the
15 improvement and implementation of department financial
16 management, ADP, and other support systems: *Provided*
17 *further*, That such amounts retained in the fund for fiscal
18 year 2002 and each fiscal year thereafter shall be available
19 for obligation and expenditure only in accordance with sec-
20 tion 605 of this Act: *Provided further*, That no later than
21 30 days after the end of each fiscal year, amounts in ex-
22 cess of this reserve limitation shall be deposited as mis-
23 cellaneous receipts in the Treasury: *Provided further*, That
24 such franchise fund pilot program shall terminate pursu-
25 ant to section 403(f) of Public Law 103–356.

1 This title may be cited as the “Department of Com-
2 merce and Related Agencies Appropriations Act, 2002”.

3 TITLE III—THE JUDICIARY

4 SUPREME COURT OF THE UNITED STATES

5 SALARIES AND EXPENSES

6 For expenses necessary for the operation of the Su-
7 preme Court, as required by law, excluding care of the
8 building and grounds, including purchase or hire, driving,
9 maintenance, and operation of an automobile for the Chief
10 Justice, not to exceed \$10,000 for the purpose of trans-
11 porting Associate Justices, and hire of passenger motor
12 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
13 to exceed \$10,000 for official reception and representation
14 expenses; and for miscellaneous expenses, to be expended
15 as the Chief Justice may approve; \$42,066,000.

16 CARE OF THE BUILDING AND GROUNDS

17 For such expenditures as may be necessary to enable
18 the Architect of the Capitol to carry out the duties im-
19 posed upon the Architect by the Act approved May 7,
20 1934 (40 U.S.C. 13a–13b), \$70,000,000, which shall re-
21 main available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of the chief judge, judges, and other offi-
5 cers and employees, and for necessary expenses of the
6 court, as authorized by law, \$19,287,000.

7 UNITED STATES COURT OF INTERNATIONAL TRADE

8 SALARIES AND EXPENSES

9 For salaries of the chief judge and eight judges, sala-
10 ries of the officers and employees of the court, services
11 as authorized by 5 U.S.C. 3109, and necessary expenses
12 of the court, as authorized by law, \$13,073,000.

13 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

14 JUDICIAL SERVICES

15 SALARIES AND EXPENSES

16 For the salaries of circuit and district judges (includ-
17 ing judges of the territorial courts of the United States),
18 justices and judges retired from office or from regular ac-
19 tive service, judges of the United States Court of Federal
20 Claims, bankruptcy judges, magistrate judges, and all
21 other officers and employees of the Federal Judiciary not
22 otherwise specifically provided for, and necessary expenses
23 of the courts, as authorized by law, \$3,631,940,000 (in-
24 cluding the purchase of firearms and ammunition); of
25 which not to exceed \$27,817,000 shall remain available

1 until expended for space alteration projects and for fur-
2 niture and furnishings related to new space alteration and
3 construction projects.

4 In addition, for expenses of the United States Court
5 of Federal Claims associated with processing cases under
6 the National Childhood Vaccine Injury Act of 1986, not
7 to exceed \$2,692,000, to be appropriated from the Vaccine
8 Injury Compensation Trust Fund.

9 DEFENDER SERVICES

10 For the operation of Federal Public Defender and
11 Community Defender organizations; the compensation and
12 reimbursement of expenses of attorneys appointed to rep-
13 resent persons under the Criminal Justice Act of 1964,
14 as amended; the compensation and reimbursement of ex-
15 penses of persons furnishing investigative, expert and
16 other services under the Criminal Justice Act of 1964 (18
17 U.S.C. 3006A(e)); the compensation (in accordance with
18 Criminal Justice Act maximums) and reimbursement of
19 expenses of attorneys appointed to assist the court in
20 criminal cases where the defendant has waived representa-
21 tion by counsel; the compensation and reimbursement of
22 travel expenses of guardians ad litem acting on behalf of
23 financially eligible minor or incompetent offenders in con-
24 nection with transfers from the United States to foreign
25 countries with which the United States has a treaty for

1 the execution of penal sentences; the compensation of at-
2 torneys appointed to represent jurors in civil actions for
3 the protection of their employment, as authorized by 28
4 U.S.C. 1875(d); and for necessary training and general
5 administrative expenses, \$500,671,000, to remain avail-
6 able until expended as authorized by 18 U.S.C. 3006A(i).

7 FEES OF JURORS AND COMMISSIONERS

8 For fees and expenses of jurors as authorized by 28
9 U.S.C. 1871 and 1876; compensation of jury commis-
10 sioners as authorized by 28 U.S.C. 1863; and compensa-
11 tion of commissioners appointed in condemnation cases
12 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
13 cedure (28 U.S.C. Appendix Rule 71A(h)), \$48,131,000,
14 to remain available until expended: *Provided*, That the
15 compensation of land commissioners shall not exceed the
16 daily equivalent of the highest rate payable under section
17 5332 of title 5, United States Code.

18 COURT SECURITY

19 For necessary expenses, not otherwise provided for,
20 incident to providing protective guard services for United
21 States courthouses and the procurement, installation, and
22 maintenance of security equipment for United States
23 courthouses and other facilities housing Federal court op-
24 erations, including building ingress-egress control, inspec-
25 tion of mail and packages, directed security patrols, and
26 other similar activities as authorized by section 1010 of

1 the Judicial Improvement and Access to Justice Act (Pub-
2 lic Law 100–702), \$224,433,000, of which not to exceed
3 \$10,000,000 shall remain available until expended for se-
4 curity systems or contract costs for court security officers,
5 to be expended directly or transferred to the United States
6 Marshals Service, which shall be responsible for admin-
7 istering the Judicial Facility Security Program consistent
8 with standards or guidelines agreed to by the Director of
9 the Administrative Office of the United States Courts and
10 the Attorney General.

11 ADMINISTRATIVE OFFICE OF THE UNITED STATES

12 COURTS

13 SALARIES AND EXPENSES

14 For necessary expenses of the Administrative Office
15 of the United States Courts as authorized by law, includ-
16 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
17 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
18 advertising and rent in the District of Columbia and else-
19 where, \$60,029,000, of which not to exceed \$8,500 is au-
20 thorized for official reception and representation expenses.

21 FEDERAL JUDICIAL CENTER

22 SALARIES AND EXPENSES

23 For necessary expenses of the Federal Judicial Cen-
24 ter, as authorized by Public Law 90–219, \$20,235,000;
25 of which \$1,800,000 shall remain available through Sep-

1 tember 30, 2003, to provide education and training to
2 Federal court personnel; and of which not to exceed
3 \$1,000 is authorized for official reception and representa-
4 tion expenses.

5 JUDICIAL RETIREMENT FUNDS

6 PAYMENT TO JUDICIARY TRUST FUNDS

7 For payment to the Judicial Officers' Retirement
8 Fund, as authorized by 28 U.S.C. 377(o), \$26,700,000;
9 to the Judicial Survivors' Annuities Fund, as authorized
10 by 28 U.S.C. 376(c), \$8,400,000; and to the United
11 States Court of Federal Claims Judges' Retirement Fund,
12 as authorized by 28 U.S.C. 178(l), \$1,900,000.

13 UNITED STATES SENTENCING COMMISSION

14 SALARIES AND EXPENSES

15 For the salaries and expenses necessary to carry out
16 the provisions of chapter 58 of title 28, United States
17 Code, \$11,575,000, of which not to exceed \$1,000 is au-
18 thorized for official reception and representation expenses.

19 GENERAL PROVISIONS—THE JUDICIARY

20 SEC. 301. Appropriations and authorizations made in
21 this title which are available for salaries and expenses shall
22 be available for services as authorized by 5 U.S.C. 3109.

23 SEC. 302. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the Judi-
25 ciary in this Act may be transferred between such appro-

1 priations, but no such appropriation, except “Courts of
2 Appeals, District Courts, and Other Judicial Services, De-
3 fender Services” and “Courts of Appeals, District Courts,
4 and Other Judicial Services, Fees of Jurors and Commis-
5 sioners”, shall be increased by more than 10 percent by
6 any such transfers: *Provided*, That any transfer pursuant
7 to this section shall be treated as a reprogramming of
8 funds under section 605 of this Act and shall not be avail-
9 able for obligation or expenditure except in compliance
10 with the procedures set forth in that section.

11 SEC. 303. Notwithstanding any other provision of
12 law, the salaries and expenses appropriation for district
13 courts, courts of appeals, and other judicial services shall
14 be available for official reception and representation ex-
15 penses of the Judicial Conference of the United States:
16 *Provided*, That such available funds shall not exceed
17 \$11,000 and shall be administered by the Director of the
18 Administrative Office of the United States Courts in the
19 capacity as Secretary of the Judicial Conference.

20 SEC. 304. Of the unexpended balances transferred to
21 the Commission on Structural Alternatives in Federal Ap-
22 pellate Courts, up to \$400,000 may be expended on court
23 operations under the “Courts of Appeals, District Courts,
24 and other Judicial Services, Salaries and Expenses”.

3 TITLE IV—DEPARTMENT OF STATE AND
4 RELATED AGENCY

6 ADMINISTRATION OF FOREIGN AFFAIRS

7 DIPLOMATIC AND CONSULAR PROGRAMS

8 For necessary expenses of the Department of State
9 and the Foreign Service not otherwise provided for, includ-
10 ing employment, without regard to civil service and classi-
11 fication laws, of persons on a temporary basis (not to ex-
12 ceed \$700,000 of this appropriation), as authorized by
13 section 801 of the United States Information and Edu-
14 cational Exchange Act of 1948, as amended; representa-
15 tion to certain international organizations in which the
16 United States participates pursuant to treaties ratified
17 pursuant to the advice and consent of the Senate or spe-
18 cific Acts of Congress; arms control, nonproliferation and
19 disarmament activities as authorized; acquisition by ex-
20 change or purchase of passenger motor vehicles as author-
21 ized by law; and for expenses of general administration,
22 \$3,166,000,000 (reduced by \$8,000,000): *Provided*, That,
23 of the amount made available under this heading, not to
24 exceed \$4,000,000 may be transferred to, and merged
25 with, funds in the “Emergencies in the Diplomatic and

1 Consular Service” appropriations account, to be available
2 only for emergency evacuations and terrorism rewards:
3 *Provided further*, That, of the amount made available
4 under this heading, \$270,259,000 shall be available only
5 for public diplomacy international information programs:
6 *Provided further*, That, notwithstanding any other provi-
7 sion of law, not to exceed \$323,000,000 of offsetting col-
8 lections derived from fees collected under the authority of
9 section 140(a)(1) of the Foreign Relations Authorization
10 Act, Fiscal Years 1994 and 1995 (Public Law 103–236)
11 during fiscal year 2002 shall be retained and used for au-
12 thorized expenses in this appropriation and shall remain
13 available until expended: *Provided further*, That any fees
14 received in excess of \$323,000,000 in fiscal year 2002
15 shall remain available until expended, but shall not be
16 available for obligation until October 1, 2002: *Provided*
17 *further*, That no funds may be obligated or expended for
18 processing licenses for the export of satellites of United
19 States origin (including commercial satellites and satellite
20 components) to the People’s Republic of China unless, at
21 least 15 days in advance, the Committees on Appropria-
22 tions of the House of Representatives and the Senate are
23 notified of such proposed action.

24 In addition, not to exceed \$1,343,000 shall be derived
25 from fees collected from other executive agencies for lease

1 or use of facilities located at the International Center in
2 accordance with section 4 of the International Center Act,
3 as amended; in addition, as authorized by section 5 of such
4 Act, \$490,000, to be derived from the reserve authorized
5 by that section, to be used for the purposes set out in
6 that section; in addition, as authorized by section 810 of
7 the United States Information and Educational Exchange
8 Act, not to exceed \$6,000,000, to remain available until
9 expended, may be credited to this appropriation from fees
10 or other payments received from English teaching, library,
11 motion pictures, and publication programs and from fees
12 from educational advising and counseling and exchange
13 visitor programs; and, in addition, not to exceed \$15,000,
14 which shall be derived from reimbursements, surcharges,
15 and fees for use of Blair House facilities.

16 In addition, for the costs of worldwide security up-
17 grades, \$487,735,000, to remain available until expended.

18 CAPITAL INVESTMENT FUND

19 For necessary expenses of the Capital Investment
20 Fund, \$210,000,000 (reduced by \$7,000,000), to remain
21 available until expended, as authorized: *Provided*, That
22 section 135(e) of Public Law 103–236 shall not apply to
23 funds available under this heading.

24 OFFICE OF INSPECTOR GENERAL

25 For necessary expenses of the Office of Inspector
26 General, \$29,264,000, notwithstanding section 209(a)(1)

1 of the Foreign Service Act of 1980, as amended (Public
2 Law 96–465), as it relates to post inspections.

3 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

4 For expenses of educational and cultural exchange
5 programs, as authorized, \$237,000,000, to remain avail-
6 able until expended: *Provided*, That not to exceed
7 \$2,000,000, to remain available until expended, may be
8 credited to this appropriation from fees or other payments
9 received from or in connection with English teaching, edu-
10 cational advising and counseling programs, and exchange
11 visitor programs as authorized.

12 REPRESENTATION ALLOWANCES

13 For representation allowances as authorized,
14 \$6,485,000.

15 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

16 For expenses, not otherwise provided, to enable the
17 Secretary of State to provide for extraordinary protective
18 services, as authorized, \$9,400,000, to remain available
19 until September 30, 2003.

20 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

21 For necessary expenses for carrying out the Foreign
22 Service Buildings Act of 1926, as amended (22 U.S.C.
23 292–300), preserving, maintaining, repairing, and plan-
24 ning for buildings that are owned or directly leased by the
25 Department of State, renovating, in addition to funds oth-
26 erwise available, the Harry S Truman Building, and car-

12 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
13 SERVICE

21 REPATRIATION LOANS PROGRAM ACCOUNT

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1 gram, \$607,000, which may be transferred to and merged
2 with the Diplomatic and Consular Programs account
3 under Administration of Foreign Affairs.

4 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

5 For necessary expenses to carry out the Taiwan Rela-
6 tions Act, Public Law 96–8, \$17,044,000.

7 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
8 DISABILITY FUND

9 For payment to the Foreign Service Retirement and
10 Disability Fund, as authorized by law, \$135,629,000.

11 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

12 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

13 For expenses, not otherwise provided for, necessary
14 to meet annual obligations of membership in international
15 multilateral organizations, pursuant to treaties ratified
16 pursuant to the advice and consent of the Senate, conven-
17 tions or specific Acts of Congress, \$850,000,000: *Pro-*
18 *vided*, That any payment of arrearages under this title
19 shall be directed toward special activities that are mutually
20 agreed upon by the United States and the respective inter-
21 national organization: *Provided further*, That none of the
22 funds appropriated in this paragraph shall be available for
23 a United States contribution to an international organiza-
24 tion for the United States share of interest costs made
25 known to the United States Government by such organiza-
26 tion for loans incurred on or after October 1, 1984,

1 through external borrowings: *Provided further*, That, of
2 the funds appropriated in this paragraph, \$100,000,000
3 may be made available only pursuant to a certification by
4 the Secretary of State that the United Nations has taken
5 no action in calendar year 2001 prior to the date of enact-
6 ment of this Act to increase funding for any United Na-
7 tions program without identifying an offsetting decrease
8 elsewhere in the United Nations budget and cause the
9 United Nations to exceed the budget for the biennium
10 2000–2001 of \$2,535,700,000: *Provided further*, That if
11 the Secretary of State is unable to make the aforemen-
12 tioned certification, the \$100,000,000 is to be applied to
13 paying the current year assessment for other international
14 organizations for which the assessment has not been paid
15 in full or to paying the assessment due in the next fiscal
16 year for such organizations, subject to the reprogramming
17 procedures contained in section 605 of this Act: *Provided*
18 *further*, That funds appropriated under this paragraph
19 may be obligated and expended to pay the full United
20 States assessment to the civil budget of the North Atlantic
21 Treaty Organization.

22 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
23 ACTIVITIES

24 For necessary expenses to pay assessed and other ex-
25 penses of international peacekeeping activities directed to
26 the maintenance or restoration of international peace and

1 security, \$844,139,000: *Provided*, That none of the funds
2 made available under this Act shall be obligated or ex-
3 pended for any new or expanded United Nations peace-
4 keeping mission unless, at least 15 days in advance of vot-
5 ing for the new or expanded mission in the United Nations
6 Security Council (or in an emergency as far in advance
7 as is practicable): (1) the Committees on Appropriations
8 of the House of Representatives and the Senate and other
9 appropriate committees of the Congress are notified of the
10 estimated cost and length of the mission, the vital national
11 interest to be served, and the planned exit strategy; and
12 (2) a reprogramming of funds pursuant to section 605 of
13 this Act is submitted, and the procedures therein followed,
14 setting forth the source of funds that will be used to pay
15 for the cost of the new or expanded mission: *Provided fur-*
16 *ther*, That funds shall be available for peacekeeping ex-
17 penses only upon a certification by the Secretary of State
18 to the appropriate committees of the Congress that Amer-
19 ican manufacturers and suppliers are being given opportu-
20 nities to provide equipment, services, and material for
21 United Nations peacekeeping activities equal to those
22 being given to foreign manufacturers and suppliers: *Pro-*
23 *vided further*, That none of the funds made available under
24 this heading are available to pay the United States share

1 of the cost of court monitoring that is part of any United
2 Nations peacekeeping mission.

3 INTERNATIONAL COMMISSIONS

4 For necessary expenses, not otherwise provided for,
5 to meet obligations of the United States arising under
6 treaties, or specific Acts of Congress, as follows:

7 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

8 UNITED STATES AND MEXICO

9 For necessary expenses for the United States Section
10 of the International Boundary and Water Commission,
11 United States and Mexico, and to comply with laws appli-
12 cable to the United States Section, including not to exceed
13 \$6,000 for representation; as follows:

14 SALARIES AND EXPENSES

15 For salaries and expenses, not otherwise provided for,
16 \$24,705,000.

17 CONSTRUCTION

18 For detailed plan preparation and construction of au-
19 thorized projects, \$5,520,000, to remain available until ex-
20 pended, as authorized.

21 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

22 For necessary expenses, not otherwise provided, for
23 the International Joint Commission and the International
24 Boundary Commission, United States and Canada, as au-
25 thorized by treaties between the United States and Can-
26 ada or Great Britain, and for the Border Environment

1 Cooperation Commission as authorized by Public Law
2 103–182, \$10,311,000, of which not to exceed \$9,000
3 shall be available for representation expenses incurred by
4 the International Joint Commission.

5 INTERNATIONAL FISHERIES COMMISSIONS

6 For necessary expenses for international fisheries
7 commissions, not otherwise provided for, as authorized by
8 law, \$19,780,000: *Provided*, That the United States' share
9 of such expenses may be advanced to the respective com-
10 missions pursuant to 31 U.S.C. 3324.

11 OTHER

12 PAYMENT TO THE ASIA FOUNDATION

13 For a grant to the Asia Foundation, as authorized
14 by the Asia Foundation Act (22 U.S.C. 4402), as amend-
15 ed, \$9,250,000, to remain available until expended, as au-
16 thorized.

17 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST

18 FUND

19 For necessary expenses of Eisenhower Exchange Fel-
20 lowships, Incorporated, as authorized by sections 4 and
21 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
22 U.S.C. 5204–5205), all interest and earnings accruing to
23 the Eisenhower Exchange Fellowship Program Trust
24 Fund on or before September 30, 2002, to remain avail-
25 able until expended: *Provided*, That none of the funds ap-
26 propriated herein shall be used to pay any salary or other

1 compensation, or to enter into any contract providing for
2 the payment thereof, in excess of the rate authorized by
3 5 U.S.C. 5376; or for purposes which are not in accord-
4 ance with OMB Circulars A-110 (Uniform Administrative
5 Requirements) and A-122 (Cost Principles for Non-profit
6 Organizations), including the restrictions on compensation
7 for personal services.

8 ISRAELI ARAB SCHOLARSHIP PROGRAM

9 For necessary expenses of the Israeli Arab Scholar-
10 ship Program as authorized by section 214 of the Foreign
11 Relations Authorization Act, Fiscal Years 1992 and 1993
12 (22 U.S.C. 2452), all interest and earnings accruing to
13 the Israeli Arab Scholarship Fund on or before September
14 30, 2002, to remain available until expended.

15 EAST-WEST CENTER

16 To enable the Secretary of State to provide for car-
17 rying out the provisions of the Center for Cultural and
18 Technical Interchange Between East and West Act of
19 1960, by grant to the Center for Cultural and Technical
20 Interchange Between East and West in the State of Ha-
21 waii, \$9,400,000: *Provided*, That none of the funds appro-
22 priated herein shall be used to pay any salary, or enter
23 into any contract providing for the payment thereof, in
24 excess of the rate authorized by 5 U.S.C. 5376.

1 NATIONAL ENDOWMENT FOR DEMOCRACY

2 For grants made by the Department of State to the
3 National Endowment for Democracy as authorized by the
4 National Endowment for Democracy Act, \$33,500,000, to
5 remain available until expended.

6 RELATED AGENCY

7 BROADCASTING BOARD OF GOVERNORS

8 INTERNATIONAL BROADCASTING OPERATIONS

9 For expenses necessary to enable the Broadcasting
10 Board of Governors, as authorized, to carry out inter-
11 national communication activities, including the purchase,
12 installation, rent, construction, and improvement of facili-
13 ties for radio and television transmission and reception to
14 Cuba, \$453,106,000, of which not to exceed \$16,000 may
15 be used for official receptions within the United States as
16 authorized, not to exceed \$35,000 may be used for rep-
17 resentation abroad as authorized, and not to exceed
18 \$39,000 may be used for official reception and representa-
19 tion expenses of Radio Free Europe/Radio Liberty; and
20 in addition, notwithstanding any other provision of law,
21 not to exceed \$2,000,000 in receipts from advertising and
22 revenue from business ventures, not to exceed \$500,000
23 in receipts from cooperating international organizations,
24 and not to exceed \$1,000,000 in receipts from privatiza-
25 tion efforts of the Voice of America and the International

1 Broadcasting Bureau, to remain available until expended
2 for carrying out authorized purposes.

3 BROADCASTING CAPITAL IMPROVEMENTS

4 For the purchase, rent, construction, and improve-
5 ment of facilities for radio transmission and reception, and
6 purchase and installation of necessary equipment for radio
7 and television transmission and reception as authorized,
8 \$25,900,000, to remain available until expended, as au-
9 thorized.

10 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
11 RELATED AGENCY

12 SEC. 401. Funds appropriated under this title shall
13 be available, except as otherwise provided, for allowances
14 and differentials as authorized by subchapter 59 of title
15 5, United States Code; for services as authorized by 5
16 U.S.C. 3109; and for hire of passenger transportation pur-
17 suant to 31 U.S.C. 1343(b).

18 SEC. 402. Not to exceed 5 percent of any appropria-
19 tion made available for the current fiscal year for the De-
20 partment of State in this Act may be transferred between
21 such appropriations, but no such appropriation, except as
22 otherwise specifically provided, shall be increased by more
23 than 10 percent by any such transfers: *Provided*, That not
24 to exceed 5 percent of any appropriation made available
25 for the current fiscal year for the Broadcasting Board of
26 Governors in this Act may be transferred between such

1 appropriations, but no such appropriation, except as oth-
 2 erwise specifically provided, shall be increased by more
 3 than 10 percent by any such transfers: *Provided further*,
 4 That any transfer pursuant to this section shall be treated
 5 as a reprogramming of funds under section 605 of this
 6 Act and shall not be available for obligation or expenditure
 7 except in compliance with the procedures set forth in that
 8 section.

9 SEC. 403. None of the funds made available in this
 10 Act may be used by the Department of State or the Broad-
 11 casting Board of Governors to provide equipment, tech-
 12 nical support, consulting services, or any other form of
 13 assistance to the Palestinian Broadcasting Corporation.

14 This title may be cited as the “Department of State
 15 and Related Agency Appropriations Act, 2002”.

16 TITLE V—RELATED AGENCIES

17 DEPARTMENT OF TRANSPORTATION

18 MARITIME ADMINISTRATION

19 MARITIME SECURITY PROGRAM

20 For necessary expenses to maintain and preserve a
 21 U.S.-flag merchant fleet to serve the national security
 22 needs of the United States, \$98,700,000, to remain avail-
 23 able until expended.

24 OPERATIONS AND TRAINING

25 For necessary expenses of operations and training ac-
 26 tivities authorized by law, \$89,054,000, of which

1 \$13,000,000 shall remain available until expended for cap-
2 ital improvements at the United States Merchant Marine
3 Academy.

4 SHIP DISPOSAL

5 For necessary expenses related to the disposal of ob-
6 solete vessels in the National Defense Reserve Fleet of the
7 Maritime Administration, \$10,000,000, to remain avail-
8 able until expended.

9 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

10 ACCOUNT

11 For the cost of guaranteed loans, as authorized by
12 the Merchant Marine Act, 1936, \$30,000,000, to remain
13 available until expended: *Provided*, That such costs, in-
14 cluding the cost of modifying such loans, shall be as de-
15 fined in section 502 of the Congressional Budget Act of
16 1974, as amended: *Provided further*, That during fiscal
17 year 2002, commitments to subsidize loans authorized
18 under this heading shall not exceed \$1,000,000,000 with-
19 out prior notification of the Committees on Appropriations
20 of the House of Representatives and Senate in accordance
21 with section 605 of this Act.

22 In addition, for administrative expenses to carry out
23 the guaranteed loan program, not to exceed \$3,978,000,
24 which shall be transferred to and merged with the appro-
25 priation for Operations and Training.

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

3 Notwithstanding any other provision of this Act, the
4 Maritime Administration is authorized to furnish utilities
5 and services and make necessary repairs in connection
6 with any lease, contract, or occupancy involving Govern-
7 ment property under control of the Maritime Administra-
8 tion, and payments received therefore shall be credited to
9 the appropriation charged with the cost thereof: *Provided*,
10 That rental payments under any such lease, contract, or
11 occupancy for items other than such utilities, services, or
12 repairs shall be covered into the Treasury as miscellaneous
13 receipts.

14 No obligations shall be incurred during the current
15 fiscal year from the construction fund established by the
16 Merchant Marine Act, 1936, or otherwise, in excess of the
17 appropriations and limitations contained in this Act or in
18 any prior Appropriations Act.

19 COMMISSION FOR THE PRESERVATION OF AMERICA'S

20 HERITAGE ABROAD

21 SALARIES AND EXPENSES

22 For expenses for the Commission for the Preservation
23 of America's Heritage Abroad, \$489,000, as authorized by
24 section 1303 of Public Law 99-83.

1 COMMISSION ON CIVIL RIGHTS

2 SALARIES AND EXPENSES

3 For necessary expenses of the Commission on Civil
4 Rights, including hire of passenger motor vehicles,
5 \$9,096,000: *Provided*, That not to exceed \$50,000 may
6 be used to employ consultants: *Provided further*, That
7 none of the funds appropriated in this paragraph shall be
8 used to employ in excess of four full-time individuals under
9 Schedule C of the Excepted Service exclusive of one special
10 assistant for each Commissioner: *Provided further*, That
11 none of the funds appropriated in this paragraph shall be
12 used to reimburse Commissioners for more than 75
13 billable days, with the exception of the chairperson, who
14 is permitted 125 billable days.

15 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

16 SALARIES AND EXPENSES

17 For necessary expenses for the United States Com-
18 mission on International Religious Freedom, as authorized
19 by title II of the International Religious Freedom Act of
20 1998 (Public Law 105–292), \$3,000,000, to remain avail-
21 able until expended.

4 For necessary expenses of the Commission on Secu-
5 rity and Cooperation in Europe, as authorized by Public
6 Law 94-304, \$1,499,000, to remain available until ex-
7 pended as authorized by section 3 of Public Law 99-7.

8 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
9 PEOPLE'S REPUBLIC OF CHINA
10 SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, \$500,000, to remain available until expended.

14 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

15 SALARIES AND EXPENSES

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1 VII of the Civil Rights Act of 1964, as amended, sections
 2 6 and 14 of the Age Discrimination in Employment Act,
 3 the Americans with Disabilities Act of 1990, and the Civil
 4 Rights Act of 1991, \$310,406,000: *Provided*, That the
 5 Commission is authorized to make available for official re-
 6 ception and representation expenses not to exceed \$2,500
 7 from available funds.

8 FEDERAL COMMUNICATIONS COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Federal Communica-
 11 tions Commission, as authorized by law, including uni-
 12 forms and allowances therefor, as authorized by 5 U.S.C.
 13 5901–5902; not to exceed \$600,000 for land and struc-
 14 ture; not to exceed \$500,000 for improvement and care
 15 of grounds and repair to buildings; not to exceed \$4,000
 16 for official reception and representation expenses; pur-
 17 chase (not to exceed 16) and hire of motor vehicles; special
 18 counsel fees; and services as authorized by 5 U.S.C. 3109,
 19 \$238,597,000, of which not to exceed \$300,000 shall re-
 20 main available until September 30, 2003, for research and
 21 policy studies: *Provided*, That \$218,757,000 of offsetting
 22 collections shall be assessed and collected pursuant to sec-
 23 tion 9 of title I of the Communications Act of 1934, as
 24 amended, and shall be retained and used for necessary ex-
 25 penses in this appropriation, and shall remain available

1 until expended: *Provided further*, That the sum herein ap-
2 propriated shall be reduced as such offsetting collections
3 are received during fiscal year 2002 so as to result in a
4 final fiscal year 2002 appropriation estimated at
5 \$19,840,000: *Provided further*, That any offsetting collec-
6 tions received in excess of \$218,757,000 in fiscal year
7 2002 shall remain available until expended, but shall not
8 be available for obligation until October 1, 2002.

9 FEDERAL MARITIME COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Federal Maritime
12 Commission as authorized by section 201(d) of the Mer-
13 chant Marine Act, 1936, as amended (46 U.S.C. App.
14 1111), including services as authorized by 5 U.S.C. 3109;
15 hire of passenger motor vehicles as authorized by 31
16 U.S.C. 1343(b); and uniforms or allowances therefor, as
17 authorized by 5 U.S.C. 5901–5902, \$15,466,000: *Pro-*
18 *vided*, That not to exceed \$2,000 shall be available for offi-
19 cial reception and representation expenses.

20 FEDERAL TRADE COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Federal Trade Com-
23 mission, including uniforms or allowances therefor, as au-
24 thorized by 5 U.S.C. 5901–5902; services as authorized
25 by 5 U.S.C. 3109; hire of passenger motor vehicles; not

1 to exceed \$2,000 for official reception and representation
2 expenses, \$155,982,000: *Provided*, That not to exceed
3 \$300,000 shall be available for use to contract with a per-
4 son or persons for collection services in accordance with
5 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*
6 *ther*, That, notwithstanding section 3302(b) of title 31,
7 United States Code, not to exceed \$155,982,000 of offset-
8 ting collections derived from fees collected for premerger
9 notification filings under the Hart-Scott-Rodino Antitrust
10 Improvements Act of 1976 (15 U.S.C. 18a) shall be re-
11 tained and used for necessary expenses in this appropria-
12 tion, and shall remain available until expended: *Provided*
13 *further*, That the sum herein appropriated from the gen-
14 eral fund shall be reduced as such offsetting collections
15 are received during fiscal year 2002, so as to result in
16 a final fiscal year 2002 appropriation from the general
17 fund estimated at not more than \$0, to remain available
18 until expended: *Provided further*, That none of the funds
19 made available to the Federal Trade Commission shall be
20 available for obligation for expenses authorized by section
21 151 of the Federal Deposit Insurance Corporation Im-
22 provement Act of 1991 (Public Law 102–242; 105 Stat.
23 2282–2285).

1 LEGAL SERVICES CORPORATION

2 PAYMENT TO THE LEGAL SERVICES CORPORATION

3 For payment to the Legal Services Corporation to
4 carry out the purposes of the Legal Services Corporation
5 Act of 1974, as amended, \$329,300,000, of which
6 \$310,000,000 is for basic field programs and required
7 independent audits; \$2,500,000 is for the Office of Inspec-
8 tor General, of which such amounts as may be necessary
9 may be used to conduct additional audits of recipients;
10 \$12,400,000 is for management and administration; and
11 \$4,400,000 is for client self-help and information tech-
12 nology.

13 ADMINISTRATIVE PROVISION—LEGAL SERVICES

14 CORPORATION

15 None of the funds appropriated in this Act to the
16 Legal Services Corporation shall be expended for any pur-
17 pose prohibited or limited by, or contrary to any of the
18 provisions of, sections 501, 502, 503, 504, 505, and 506
19 of Public Law 105–119, and all funds appropriated in this
20 Act to the Legal Services Corporation shall be subject to
21 the same terms and conditions set forth in such sections,
22 except that all references in sections 502 and 503 to 1997
23 and 1998 shall be deemed to refer instead to 2001 and
24 2002, respectively.

1 Section 504(a)(16) of Public Law 104–134 is here-
2 after amended by striking “if such relief does not involve”
3 and all that follows through “representation”.

4 MARINE MAMMAL COMMISSION
5 SALARIES AND EXPENSES

6 For necessary expenses of the Marine Mammal Com-
7 mission as authorized by title II of Public Law 92–522,
8 as amended, \$1,732,000.

9 NATIONAL VETERANS BUSINESS DEVELOPMENT
10 CORPORATION

11 For necessary expenses of the National Veterans
12 Business Development Corporation as authorized under
13 section 33(a) of the Small Business Act, as amended,
14 \$4,000,000.

15 PACIFIC CHARTER COMMISSION
16 SALARIES AND EXPENSES

17 For necessary expenses for the Pacific Charter Com-
18 mission, as authorized by the Pacific Charter Commission
19 Act of 2000 (Public Law 106–570), \$2,500,000, to remain
20 available until expended.

21 SECURITIES AND EXCHANGE COMMISSION
22 SALARIES AND EXPENSES

23 For necessary expenses for the Securities and Ex-
24 change Commission, including services as authorized by
25 5 U.S.C. 3109, the rental of space (to include multiple

1 year leases) in the District of Columbia and elsewhere, and
2 not to exceed \$3,000 for official reception and representa-
3 tion expenses, \$109,500,000 from fees collected in fiscal
4 year 2002 to remain available until expended, and from
5 fees collected in previous fiscal years, \$328,400,000, to re-
6 main available until expended; of which not to exceed
7 \$10,000 may be used toward funding a permanent secre-
8 tariat for the International Organization of Securities
9 Commissions; and of which not to exceed \$100,000 shall
10 be available for expenses for consultations and meetings
11 hosted by the Commission with foreign governmental and
12 other regulatory officials, members of their delegations,
13 appropriate representatives and staff to exchange views
14 concerning developments relating to securities matters, de-
15 velopment and implementation of cooperation agreements
16 concerning securities matters and provision of technical
17 assistance for the development of foreign securities mar-
18 kets, such expenses to include necessary logistic and ad-
19 ministrative expenses and the expenses of Commission
20 staff and foreign invitees in attendance at such consulta-
21 tions and meetings including: (1) such incidental expenses
22 as meals taken in the course of such attendance; (2) any
23 travel and transportation to or from such meetings; and
24 (3) any other related lodging or subsistence: *Provided*,
25 That fees and charges authorized by sections 6(b)(4) of

1 the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and
 2 31(d) of the Securities Exchange Act of 1934 (15 U.S.C.
 3 78ee(d)) shall be credited to this account as offsetting col-
 4 lections.

5 SMALL BUSINESS ADMINISTRATION

6 SALARIES AND EXPENSES

7 For necessary expenses, not otherwise provided for,
 8 of the Small Business Administration as authorized by
 9 Public Law 105–135, including hire of passenger motor
 10 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
 11 not to exceed \$3,500 for official reception and representa-
 12 tion expenses, \$303,581,000 (increased by \$7,000,000):
 13 *Provided*, That the Administrator is authorized to charge
 14 fees to cover the cost of publications developed by the
 15 Small Business Administration, and certain loan servicing
 16 activities: *Provided further*, That, notwithstanding 31
 17 U.S.C. 3302, revenues received from all such activities
 18 shall be credited to this account, to be available for car-
 19 rying out these purposes without further appropriations.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
 22 General in carrying out the provisions of the Inspector
 23 General Act of 1978, as amended (5 U.S.C. App.),
 24 \$11,927,000.

1 BUSINESS LOANS PROGRAM ACCOUNT

2 For the cost of direct loans, \$1,500,000, to be avail-
3 able until expended; and for the cost of guaranteed loans,
4 \$77,000,000 (increased by \$10,000,000), as authorized by
5 15 U.S.C. 631 note, of which \$45,000,000 shall remain
6 available until September 30, 2003: *Provided*, That such
7 costs, including the cost of modifying such loans, shall be
8 as defined in section 502 of the Congressional Budget Act
9 of 1974, as amended: *Provided further*, That during fiscal
10 year 2002 commitments to guarantee loans under section
11 503 of the Small Business Investment Act of 1958, as
12 amended, shall not exceed \$3,750,000,000: *Provided fur-*
13 *ther*, That during fiscal year 2002 commitments for gen-
14 eral business loans authorized under section 7(a) of the
15 Small Business Act, as amended, shall not exceed
16 \$10,000,000,000 without prior notification of the Com-
17 mittees on Appropriations of the House of Representatives
18 and Senate in accordance with section 605 of this Act:
19 *Provided further*, That during fiscal year 2002 guarantee
20 commitments under section 303(b) of the Small Business
21 Investment Act of 1958, as amended, shall not exceed the
22 levels established by section 20(h)(1)(C) of the Small
23 Business Act (15 U.S.C. 631 note).

24 In addition, for administrative expenses to carry out
25 the direct and guaranteed loan programs, \$129,000,000,

1 which may be transferred to and merged with the appro-
2 priations for Salaries and Expenses.

3 DISASTER LOANS PROGRAM ACCOUNT

4 For the cost of direct loans authorized by section 7(b)
5 of the Small Business Act, as amended, \$84,510,000, to
6 remain available until expended: *Provided*, That such
7 costs, including the cost of modifying such loans, shall be
8 as defined in section 502 of the Congressional Budget Act
9 of 1974, as amended.

10 In addition, for administrative expenses to carry out
11 the direct loan program, \$120,354,000, which may be
12 transferred to and merged with appropriations for Salaries
13 and Expenses, of which \$500,000 is for the Office of In-
14 spector General of the Small Business Administration for
15 audits and reviews of disaster loans and the disaster loan
16 program and shall be transferred to and merged with ap-
17 propriations for the Office of Inspector General; of which
18 \$110,000,000 is for direct administrative expenses of loan
19 making and servicing to carry out the direct loan program;
20 and of which \$9,854,000 is for indirect administrative ex-
21 penses: *Provided*, That any amount in excess of
22 \$9,854,000 to be transferred to and merged with appro-
23 priations for Salaries and Expenses for indirect adminis-
24 trative expenses shall be treated as a reprogramming of
25 funds under section 605 of this Act and shall not be avail-

1 able for obligation or expenditure except in compliance
2 with the procedures set forth in that section.

3 ADMINISTRATIVE PROVISION—SMALL BUSINESS

4 ADMINISTRATION

5 Not to exceed 5 percent of any appropriation made
6 available for the current fiscal year for the Small Business
7 Administration in this Act may be transferred between
8 such appropriations, but no such appropriation shall be
9 increased by more than 10 percent by any such transfers:
10 *Provided*, That any transfer pursuant to this paragraph
11 shall be treated as a reprogramming of funds under sec-
12 tion 605 of this Act and shall not be available for obliga-
13 tion or expenditure except in compliance with the proce-
14 dures set forth in that section.

15 STATE JUSTICE INSTITUTE

16 SALARIES AND EXPENSES

17 For necessary expenses of the State Justice Institute,
18 as authorized by the State Justice Institute Authorization
19 Act of 1992 (Public Law 102–572; 106 Stat. 4515–4516),
20 \$6,835,000, to remain available until expended: *Provided*,
21 That not to exceed \$2,500 shall be available for official
22 reception and representation expenses.

23 TITLE VI—GENERAL PROVISIONS

24 SEC. 601. No part of any appropriation contained in
25 this Act shall be used for publicity or propaganda purposes
26 not authorized by the Congress.

1 SEC. 602. No part of any appropriation contained in
2 this Act shall remain available for obligation beyond the
3 current fiscal year unless expressly so provided herein.

4 SEC. 603. The expenditure of any appropriation
5 under this Act for any consulting service through procure-
6 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
7 to those contracts where such expenditures are a matter
8 of public record and available for public inspection, except
9 where otherwise provided under existing law, or under ex-
10 isting Executive order issued pursuant to existing law.

11 SEC. 604. If any provision of this Act or the applica-
12 tion of such provision to any person or circumstances shall
13 be held invalid, the remainder of the Act and the applica-
14 tion of each provision to persons or circumstances other
15 than those as to which it is held invalid shall not be af-
16 fected thereby.

17 SEC. 605. (a) None of the funds provided under this
18 Act, or provided under previous appropriations Acts to the
19 agencies funded by this Act that remain available for obli-
20 gation or expenditure in fiscal year 2002, or provided from
21 any accounts in the Treasury of the United States derived
22 by the collection of fees available to the agencies funded
23 by this Act, shall be available for obligation or expenditure
24 through a reprogramming of funds which: (1) creates new
25 programs; (2) eliminates a program, project, or activity;

1 (3) increases funds or personnel by any means for any
2 project or activity for which funds have been denied or
3 restricted; (4) relocates an office or employees; (5) reorga-
4 nizes offices, programs, or activities; or (6) contracts out
5 or privatizes any functions or activities presently per-
6 formed by Federal employees; unless the Appropriations
7 Committees of both Houses of Congress are notified 15
8 days in advance of such reprogramming of funds.

9 (b) None of the funds provided under this Act, or
10 provided under previous appropriations Acts to the agen-
11 cies funded by this Act that remain available for obligation
12 or expenditure in fiscal year 2002, or provided from any
13 accounts in the Treasury of the United States derived by
14 the collection of fees available to the agencies funded by
15 this Act, shall be available for obligation or expenditure
16 for activities, programs, or projects through a reprogram-
17 ming of funds in excess of \$500,000 or 10 percent, which-
18 ever is less, that: (1) augments existing programs,
19 projects, or activities; (2) reduces by 10 percent funding
20 for any existing program, project, or activity, or numbers
21 of personnel by 10 percent as approved by Congress; or
22 (3) results from any general savings from a reduction in
23 personnel which would result in a change in existing pro-
24 grams, activities, or projects as approved by Congress; un-
25 less the Appropriations Committees of both Houses of

1 Congress are notified 15 days in advance of such re-
2 programming of funds.

3 SEC. 606. None of the funds made available in this
4 Act may be used for the construction, repair (other than
5 emergency repair), overhaul, conversion, or modernization
6 of vessels for the National Oceanic and Atmospheric Ad-
7 ministration in shipyards located outside of the United
8 States.

9 SEC. 607. (a) PURCHASE OF AMERICAN-MADE
10 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
11 gress that, to the greatest extent practicable, all equip-
12 ment and products purchased with funds made available
13 in this Act should be American-made.

14 (b) NOTICE REQUIREMENT.—In providing financial
15 assistance to, or entering into any contract with, any enti-
16 ty using funds made available in this Act, the head of each
17 Federal agency, to the greatest extent practicable, shall
18 provide to such entity a notice describing the statement
19 made in subsection (a) by the Congress.

20 (c) PROHIBITION OF CONTRACTS WITH PERSONS
21 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
22 If it has been finally determined by a court or Federal
23 agency that any person intentionally affixed a label bear-
24 ing a “Made in America” inscription, or any inscription
25 with the same meaning, to any product sold in or shipped

1 to the United States that is not made in the United
2 States, the person shall be ineligible to receive any con-
3 tract or subcontract made with funds made available in
4 this Act, pursuant to the debarment, suspension, and ineli-
5 gibility procedures described in sections 9.400 through
6 9.409 of title 48, Code of Federal Regulations.

7 SEC. 608. None of the funds made available in this
8 Act may be used to implement, administer, or enforce any
9 guidelines of the Equal Employment Opportunity Com-
10 mission covering harassment based on religion, when it is
11 made known to the Federal entity or official to which such
12 funds are made available that such guidelines do not differ
13 in any respect from the proposed guidelines published by
14 the Commission on October 1, 1993 (58 Fed. Reg.
15 51266).

16 SEC. 609. None of the funds made available by this
17 Act may be used for any United Nations undertaking
18 when it is made known to the Federal official having au-
19 thority to obligate or expend such funds: (1) that the
20 United Nations undertaking is a peacekeeping mission; (2)
21 that such undertaking will involve United States Armed
22 Forces under the command or operational control of a for-
23 eign national; and (3) that the President's military advi-
24 sors have not submitted to the President a recommenda-
25 tion that such involvement is in the national security inter-

1 ests of the United States and the President has not sub-
2 mitted to the Congress such a recommendation.

3 SEC. 610. (a) None of the funds appropriated or oth-
4 erwise made available by this Act shall be expended for
5 any purpose for which appropriations are prohibited by
6 section 609 of the Departments of Commerce, Justice, and
7 State, the Judiciary, and Related Agencies Appropriations
8 Act, 1999.

9 (b) The requirements in subparagraphs (A) and (B)
10 of section 609 of that Act shall continue to apply during
11 fiscal year 2002.

12 SEC. 611. None of the funds made available in this
13 Act shall be used to provide the following amenities or per-
14 sonal comforts in the Federal prison system—

15 (1) in-cell television viewing except for prisoners
16 who are segregated from the general prison popu-
17 lation for their own safety;

18 (2) the viewing of R, X, and NC-17 rated mov-
19 ies, through whatever medium presented;

20 (3) any instruction (live or through broadcasts)
21 or training equipment for boxing, wrestling, judo,
22 karate, or other martial art, or any bodybuilding or
23 weightlifting equipment of any sort;

24 (4) possession of in-cell coffee pots, hot plates
25 or heating elements; or

1 (5) the use or possession of any electric or elec-
2 tronic musical instrument.

3 SEC. 612. None of the funds made available in title
4 II for the National Oceanic and Atmospheric Administra-
5 tion (NOAA) under the headings “Operations, Research,
6 and Facilities” and “Procurement, Acquisition and Con-
7 struction” may be used to implement sections 603, 604,
8 and 605 of Public Law 102–567: *Provided*, That NOAA
9 may develop a modernization plan for its fisheries research
10 vessels that takes fully into account opportunities for con-
11 tracting for fisheries surveys.

12 SEC. 613. Any costs incurred by a department or
13 agency funded under this Act resulting from personnel ac-
14 tions taken in response to funding reductions included in
15 this Act shall be absorbed within the total budgetary re-
16 sources available to such department or agency: *Provided*,
17 That the authority to transfer funds between appropria-
18 tions accounts as may be necessary to carry out this sec-
19 tion is provided in addition to authorities included else-
20 where in this Act: *Provided further*, That use of funds to
21 carry out this section shall be treated as a reprogramming
22 of funds under section 605 of this Act and shall not be
23 available for obligation or expenditure except in compli-
24 ance with the procedures set forth in that section.

1 SEC. 614. Hereafter, none of the funds made avail-
2 able in this Act to the Federal Bureau of Prisons may
3 be used to distribute or make available any commercially
4 published information or material to a prisoner when it
5 is made known to the Federal official having authority to
6 obligate or expend such funds that such information or
7 material is sexually explicit or features nudity.

8 SEC. 615. Of the funds appropriated in this Act
9 under the heading “Office of Justice Programs—State
10 and Local Law Enforcement Assistance”, not more than
11 90 percent of the amount to be awarded to an entity under
12 the Local Law Enforcement Block Grant shall be made
13 available to such an entity when it is made known to the
14 Federal official having authority to obligate or expend
15 such funds that the entity that employs a public safety
16 officer (as such term is defined in section 1204 of title
17 I of the Omnibus Crime Control and Safe Streets Act of
18 1968) does not provide such a public safety officer who
19 retires or is separated from service due to injury suffered
20 as the direct and proximate result of a personal injury
21 sustained in the line of duty while responding to an emer-
22 gency situation or a hot pursuit (as such terms are defined
23 by State law) with the same or better level of health insur-
24 ance benefits at the time of retirement or separation as
25 they received while on duty.

1 SEC. 616. None of the funds provided by this Act
2 shall be available to promote the sale or export of tobacco
3 or tobacco products, or to seek the reduction or removal
4 by any foreign country of restrictions on the marketing
5 of tobacco or tobacco products, except for restrictions
6 which are not applied equally to all tobacco or tobacco
7 products of the same type.

8 SEC. 617. (a) None of the funds appropriated or oth-
9 erwise made available by this Act shall be expended for
10 any purpose for which appropriations are prohibited by
11 section 616 of the Departments of Commerce, Justice, and
12 State, the Judiciary, and Related Agencies Appropriations
13 Act, 1999, as amended.

14 (b) Subsection (a)(1) of section 616 of that Act, as
15 amended, is further amended by striking “Claudy
16 Myrthil,”.

17 (c) The requirements in subsections (b) and (c) of
18 section 616 of that Act shall continue to apply during fis-
19 cal year 2002.

20 SEC. 618. None of the funds appropriated pursuant
21 to this Act or any other provision of law may be used for:
22 (1) the implementation of any tax or fee in connection
23 with the implementation of 18 U.S.C. 922(t); and (2) any
24 system to implement 18 U.S.C. 922(t) that does not re-
25 quire and result in the destruction of any identifying infor-

1 mation submitted by or on behalf of any person who has
2 been determined not to be prohibited from owning a fire-
3 arm.

4 SEC. 619. Notwithstanding any other provision of
5 law, amounts deposited or available in the Fund estab-
6 lished under 42 U.S.C. 10601 in any fiscal year in excess
7 of \$575,000,000 shall not be available for obligation until
8 the following fiscal year.

9 SEC. 620. None of the funds made available to the
10 Department of Justice in this Act may be used to discrimi-
11 nate against or denigrate the religious or moral beliefs of
12 students who participate in programs for which financial
13 assistance is provided from those funds, or of the parents
14 or legal guardians of such students.

15 SEC. 621. None of the funds appropriated in this Act
16 shall be available for the purpose of granting either immi-
17 grant or nonimmigrant visas, or both, consistent with the
18 Secretary's determination under section 243(d) of the Im-
19 migration and Nationality Act, to citizens, subjects, na-
20 tionals, or residents of countries that the Attorney General
21 has determined deny or unreasonably delay accepting the
22 return of citizens, subjects, nationals, or residents under
23 that section.

24 SEC. 622. None of the funds made available to the
25 Department of Justice in this Act may be used for the

1 purpose of transporting an individual who is a prisoner
2 pursuant to conviction for crime under State or Federal
3 law and is classified as a maximum or high security pris-
4 oner, other than to a prison or other facility certified by
5 the Federal Bureau of Prisons as appropriately secure for
6 housing such a prisoner.

7 SEC. 623. No funds appropriated or otherwise made
8 available under this Act shall be made available to any
9 person or entity that has been convicted of violating the
10 Buy American Act (41 U.S.C. 10a–10c).

11 SEC. 624. None of the funds appropriated in title I
12 of this Act may be used to prohibit States from partici-
13 pating in voluntary child safety gun lock programs.

14 SEC. 625. None of the funds appropriated in this Act
15 may be used to negotiate or pay any request or claim by
16 the Government of the People’s Republic of China for re-
17 imbursement of the costs associated with the detention of
18 the crewmembers of the United States Navy EP–3 aircraft
19 that was forced to land on Hainan Island, China, on April
20 1, 2001, or for reimbursement of any of the costs associ-
21 ated with the return of the aircraft to the United States.

22 SEC. 626. None of the funds made available in this
23 Act may be used by the Department of Justice or the De-
24 partment of State to file a motion in any court opposing
25 a civil action against any Japanese person or corporation

1 for compensation or reparations in which the plaintiff al-
 2 leges that, as an American prisoner of war during World
 3 War II, he or she was used as slave or forced labor.

4 TITLE VII—RESCISSIONS

5 DEPARTMENT OF COMMERCE

6 DEPARTMENTAL MANAGEMENT

7 EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM

8 ACCOUNT

9 (RESCISSION)

10 Of the unobligated balances available under this
 11 heading from prior year appropriations, \$115,000,000 are
 12 rescinded.

13 EMERGENCY STEEL GUARANTEED LOAN PROGRAM

14 ACCOUNT

15 (RESCISSION)

16 Of the unobligated balances available under this
 17 heading from prior year appropriations, \$10,000,000 are
 18 rescinded.

19 This Act may be cited as the “Departments of Com-
 20 merce, Justice, and State, the Judiciary, and Related
 21 Agencies Appropriations Act, 2002”.

Passed the House of Representatives July 18, 2001.

Attest:

Clerk.

107TH CONGRESS
1ST SESSION

H. R. 2500

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.